



**FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER (RESIDENTIAL  
PROPERTY)**

**Case Reference** : **LON/00AY/LAM/2024/0502**

**Property** : **25 The Pavement, London SW4 0JA**

**Applicant** : **Mr Peter Cobrin, Tribunal appointed manager**

**Representative** : **N/A**

**Respondent** : **Albion and South Limited (dissolved)**

**Representative** : **Mr Emmanouil Spanakis (former Director)**

**Tribunal member** : **Judge Vance**

**Date of Decision** : **10 March 2026**

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**DECISION**

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1. By application dated 10 November 2025, the Manager, Mr Cobrin applied for the Management Order (“MO”) made by the Tribunal on 12 February 2025, in respect of 25 The Pavement, London SW4 0JA (“the Property”), to be varied so as to attach a penal notice to the MO. Since the application was made the parties have exchanged witness statements and the Tribunal has been copied into multiple emails in which Mr Cobrin and Mr Spanakis have described their respective grievances with each other’s conduct.
2. On 8 March 2026, Mr Spanakis lodged a witness statement seeking that provisions in the MO regarding collection of commercial rent be varied. Despite the application not being made on the appropriate Tribunal form, I

was prepared to consider it at the hearing today as agreement was reached by the parties as to an amended form of wording. I address this below.

3. The application was considered at a hearing today, 10 March 2026. Present was Mr Cobrin and Mr Spanakis.
4. The following facts do not appear to be in dispute:
  - (a) on 2 September 2025, the Respondent company, Albion and South Limited, was dissolved by way of compulsory striking off at Companies House, following the failure to file company accounts. Notwithstanding this, the Respondent entered into a lease of the ground floor commercial unit at the Property on 30 September 2025 with Stassen Leisure Limited. A rent deposit of £17,250 was paid and the first quarter's rent was paid to Quastels, the solicitors for the Respondent company;
  - (b) Stassen Leisure Limited then commenced paying rent directly to Mr Cobrin from 11 November 2025;
  - (c) after Mr Cobrin became aware that the Respondent company was dissolved there were a series of email exchanges between October 2025 and January 2026 between him, Mr Spanakis, Quastels, solicitors Brecher and Co, and Company Restorations Ltd in which Mr Cobrin sought to clarify what efforts were being made to restore the Respondent company to the register of companies.
  - (d) in an email dated 2 November 2025, Mr Spanakis emailed Mr Cobrin stating that the company had been successfully restored to the companies register and that this should be reflected at Companies House in 6-8 weeks. That statement as incorrect. As at the date of this decision, the Respondent Company has still not been restored to the register. At today's hearing Mr Spanakis' explanation for his misstatement on 2 November was that he has been misled by incorrect information received from his accountant;
  - (e) in an email dated 5 January 2026, Lyn Bond of Company Restorations Ltd informed Mr Cobrin that they had been instructed by Mr Spanakis to pursue restoration of the Respondent company to the register of companies. In a letter dated 9 March 2026 Lyn Bond stated that the application sent to Companies House had been rejected because of a typographical error in one of the documents and that documents were resubmitted on 2 March 2026.
5. At the hearing before me today, Mr Cobrin argued that a penal notice was needed because the absence of a freeholder was causing problems both for the two residential leaseholders at the Property who were, for example, unable to

sell their flat, and for his management of the building. He described what he considered to be a “cloud of obfuscation” regarding the status of the respondent company between October 2025 and January 2026, which he said had caused anxiety amongst the leaseholders and considerable pressure on him. He was concerned that there was still no sign of any company accounts for the Respondent and that Mr Spanakis seemed to be disinterested in his role as a Tribunal-appointed manager. He considered a penal notice was needed in order to remind Mr Spanakis of the importance of complying with both the terms of the MO and its spirit.

6. Mr Spanakis explained that the Respondent company only acquired the freehold of the Property at the end of February 2024. Prior to that it had been registered with a different company. It appears from the decision of the Tribunal dated 12 February 2025 that the previous freeholder was Ace of Spades Limited, of whom Mr Spanakis was a director. Mr Spanakis informed me at the hearing that the failure to file company accounts, and which led to the Respondent being struck off, was due to an error made by his accountant, on whom he had relied. In his submission, it would not be appropriate to attach a penal notice to the MO in circumstances where the striking off was not due to his error and where he has complied with the terms of the MO.

## **Decision**

7. This Tribunal does not routinely attach penal notices to its Management Orders. Such an order carries potentially very serious consequences if breached. Non-compliance may lead to the person in breach being held to be in contempt of the Tribunal which made the Order and can result in a fine or the seizure of assets. The use of penal notices should, in my opinion, be reserved for situations where there is demonstrable evidence of non-compliance with the terms of a MO or where there are good grounds to believe that a person will not comply with the terms of a MO without the potential sanction accorded by a penal notice.
8. I have considered the Tribunal’s overriding objective to deal with cases fairly and justly, but do not consider the attachment of a penal notice to be warranted in this case. I understand why the leaseholders are concerned that their freeholder has been struck off the register of companies and that some five months after that happened, it remains struck off. As Mr Cobrin stated that has potentially serious implications for leaseholders, including a likely inability to sell their flats until the situation is resolved. It was Mr Spanakis’ responsibility as a director of the company to ensure the accounts were filed regardless of any error made by his accountants and he clearly failed to discharge that responsibility.
9. I also accept that the trail of emails included in the hearing bundle prepared by Mr Cobrin indicates that Mr Spanakis has not been clear and forthcoming in his responses to enquiries made of him by Mr Cobrin

regarding restoration of the respondent Company. He incorrectly said in November 2024 that the Company had been restored, when this was not correct. If his misstatement was based on incorrect information received from his accountant, it is unimpressive that he made such a positive assertion without checking the accuracy of it before making it. A responsible company director would, in my view, have done so. Furthermore, having made that error, the documents before me do not indicate that Mr Spanakis made any substantial effort to keep Mr Cobrin abreast with developments regarding the attempt at restoration. On the contrary, they indicate that it was left to Mr Cobrin to ascertain the position, culminating in the responses received from Company Restorations Ltd in January 2026.

10. Under paragraph 36 of the Management Order the Respondent was required to give all reasonable assistance and co-operation to the Manager in pursuance of his functions under the MO. As a director of the Respondent company that obligation extended to Mr Spanakis. I find that Spanakis has been not complied with that obligation. His communications with Mr Cobrin have been unhelpful and un-cooperative. Despite that, I am not satisfied that the imposition of a penal notice is a reasonable step for me to take at this point in time. The commercial rent is now being paid to Mr Cobrin and the only asserted breach of the MO is non-compliance with the general obligation to assist and co-operate contained in paragraph 36. It would appear that the Respondent should be reinstated shortly.
11. If Mr Cobrin considered Mr Spanakis was frustrating his ability to properly manage the Property what he should have done, in my view, was to apply to the Tribunal for directions from the Tribunal or a variation of the terms of the MO. If there was then continued non-compliance an application for a penal notice or a referral to the Upper Tribunal for enforcement of this Tribunal's directions or Order may have been merited. In my view this is a premature application, albeit that I accept Mr Spanakis has breached the terms of the MO. It is therefore refused. However, Mr Cobrin is entitled to apply to this Tribunal for directions or a variation of the MO, including making a renewed application for a penal notice, in the event that he believes there has been further non-compliance with the Respondent regarding the terms of the MO.

### **Variation of the MO**

12. On the application of Mr Spanakis, and with the consent of both parties I amend paragraph 24 of the MO, so as to replace the word "annually" with "quarterly". It was Mr Spanakis' position that the Respondent's cashflow was being adversely affected by net rent being passed to him annually. Mr Cobrin was sympathetic and consented to the variation. An amended MO will be issued to the parties.

## **Concluding Remarks**

13. After the hearing had concluded, at 12.58 on 10 March 2026, Mr Spanakis sent an email to Mr Cobrin marked “Without prejudice”. Mr Cobrin then forwarded that email to the Tribunal for my attention. Despite being described as “without prejudice” the email clearly does not attract any without prejudice privilege because it is in no way an attempt to settle a dispute. Instead, Mr Spanakis said that in light of my findings and comments at the hearing Mr Cobrin should resign his managerial appointment. He suggests that Mr Cobrin has launched a personal vendetta against him.
14. This touches on an issue Mr Cobrin raised at the hearing, namely, his concern with Mr Spanakis’ suggestions in email correspondence with him that he has behaved unprofessionally. I repeat what I said at the hearing. I have responsibility for case managing this application and I see the correspondence forwarded to me by the case officer. I have seen nothing in that correspondence (which has been lengthy) that suggests that Mr Cobrin has behaved in any way improperly or inappropriately. On the contrary, he appears to me to be acting diligently and professionally in fulfilling his role as a Tribunal-appointed manager. Although I have refused this application for a penal notice, it was an application he was entitled to make and given what I consider to be Mr Spanakis’ non-compliance with his obligations under paragraph 36 it is understandable why he chose to pursue it. I urge Mr Spanakis to adopt a co-operative approach to Mr Cobrin’s managerial appointment in future. If that does not occur, there are enforcement options available to Mr Cobrin.

## **Rights of appeal**

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28 day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the tribunal will then look at such reason(s) and decide whether to

allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).