



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

Case reference : **CAM/00MG/LSC/2025/0652**

Property : **302-340 Medina House, Silbury
Boulevard, Milton Keynes, MK9 2FA**

Applicant : **Various leaseholders of Medina House**

Representative : **Mr S Gallagher, Counsel**

Respondent : **(1) UK Residential Heights
Limited
(2) Assethold Limited**

Representative : **For the First Respondent: No
representation
For the Second Respondent: Eagerstates
Limited**

Type of application : **For orders under Section 20C of the
Landlord and Tenant Act 1985 and
Paragraph 5A of Schedule 11 to the
Commonhold and Leasehold Reform
Act 2002**

Tribunal members : **First-tier Tribunal Judge K Neave
Dr Janet Wilcox FRICS**

Venue : **On the papers**

Date of decision : **1 May 2026**

DECISION

Decisions of the tribunal

- (1) The tribunal makes an order under section 20C of the Landlord and Tenant Act 1985 so that none of the Respondents' costs of the tribunal proceedings may be passed to the Applicants through any service charge.
- (2) The tribunal determines that the Respondents shall pay the Applicants £114.00 within 28 days of this Decision, in respect of the reimbursement of the tribunal fees paid by them.

The application

1. By submissions dated 17 March 2026, the Applicant leaseholders made written representations on their application made in their statement of case for orders under section 20C of the Landlord and Tenant Act 1985 ("the 1985 Act") and paragraph 5A of schedule 11 to the Commonhold and Leasehold Reform Act 2002 ("the 2002 Act").
2. The Respondents were directed to make brief submissions in response by 30 March 2026. However, neither did so. Neither party objected to the tribunal dealing with the application on the papers.

Background

3. By a decision dated 12 February 2026 (but promulgated by the tribunal in early March 2026) the tribunal determined an application made by the leasehold owners of Flats 1 – 4, 6, 11, 13, 16, 20, 21, 24, 26, 29, 30, 36, 43, 44, 47 – 50, 54, 56, 60, 63, 64, 67 – 70, 72, 74 – 76, 78, 82, and 84 Medina House under section 27A of the 1985 Act. The issues in dispute related to compliance with section 47 of the Landlord and Tenant Act 1987 and the exercise of owner's powers under section 24 of the 2002 Act.
4. As can be seen from the tribunal's decision, the Respondents failed to engage adequately with the proceedings before the tribunal. The First Respondent did not attend the hearing. The Second Respondent was represented at the hearing only to seek an adjournment. When that application was refused, counsel withdrew from acting from the Second Respondent and the hearing proceeded in its absence.
5. In the decision dated 12 February 2026, the tribunal determined that:
 - (i) the service charge demands dated 7 March 2022, 31 August 2022, and 6 March 2023 are not currently due from the Applicants to the Respondents, the sanction in section 47(2) of the 1987 Act applying;

- (ii) the service charge demands dated 31 August 2023, 4 March 2024, 29 August 2024, 5 March 2025, and 8 September 2025 are payable by the Applicants to the Second Respondent.
- 6. The Applicants now seek orders under section 20C of the 1985 Act and paragraph 5A of schedule 11 of the 2002 Act.

The tribunal's decision

- 7. The Applicants assert in their submissions that it is just and equitable for an order to be made under section 20C of the 1985 Act because:
 - (i) As against the First Respondent, the Applicants have been wholly successful.
 - (ii) The Second Respondent barely engaged with the proceedings, other than to instruct counsel at so late an hour that he felt unable to do anything other than withdraw from acting for the Second Respondent after the application to adjourn the hearing was refused.
 - (iii) The tribunal found that the Respondents' failure to comply with the tribunal's directions was serious, had hampered the Applicants' ability to prepare for the hearing and had impeded the efficient resolution of the proceedings.
 - (iv) Because of the Second Respondent's failure to engage, the Applicants were placed in an extremely difficult situation, being required to speculate about the identity of their landlord and whether the Second Respondent would ever become registered with title to Medina House.
- 8. As set out above, neither of the Respondents engaged with these submissions, and they did not object to the tribunal dealing with the application on the papers.
- 9. It is in our judgment just and convenient for an order under section 20C of the 1985 Act to be made against both Respondents. The Applicants were wholly successful in their claims against the First Respondent. Though we have taken into account and carefully considered the fact that they were not successful against the Second Respondent, in our judgment, had the Second Respondent engaged with the Applicants before the application was made or indeed at any time before the day of the hearing, their queries about the identity of their landlord and the

likelihood of the Second Respondent being registered with title to Medina House could have been resolved. Instead, the Second Respondent has elected to ignore the Applicants' queries. It is hardly surprising that they brought this application in those circumstances and indeed, there remain questions about the Second Respondent's ability to provide a Land Transaction Return certificate and/or a SDLT5 to the satisfaction of HMLR.

10. For these reasons, if the Second Respondent has incurred costs in connection with these proceedings, it is only right in our judgment that it should bear those costs itself, and should not pass them on to the Applicants through the service charge.
11. The Applicants submitted that the order should be extended to apply for the benefit of all the leaseholders of Medina House, including those who did not join the proceedings as applicants. However, there is no suggestion that these leaseholders have given their consent or authority to make such an application. We accordingly decline to make a section 20C order in favour of anyone other than the Applicants.
12. It is unclear to the tribunal from the submissions made whether the Applicants are likely to face any administration charges in respect of the litigation costs of these proceedings. Accordingly, we do not make an order under paragraph 5A of Schedule 11 to the 2002 Act. In the event that the Respondents do impose such an administration charge, the tribunal is likely to make a similar order to that made under section 20C of the 1985 Act as well as considering the reasonableness of the charge in the circumstances of the case.
13. For the same reasons as are set out above, we order the Respondents to reimburse the Tribunal fees paid by the Applicant, in the sum of £114.00 within 28 days of the date of this decision.

Name: Judge K Neave

Date: 1 May 2026

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).