



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

Case reference : **BIR/37UH/LLC/2025/0006**

Property : **Apartment 46, 111 The Ropewalk,
Nottingham NG1 5DJ**

Applicants : **Dr Amir Rabani**

Representative : **None**

Respondent : **Messrs Ram Krishan Goyal and Vidya
Bhushan Goyal**

Representative : **Vash Ratnashingham**

Type of applications : **(1) Application for determination of liability
to pay and reasonableness of service
charges under sections 27A and 19 of the
Landlord and Tenant Act 1985 (“the Act”)
(2) Application for an order under section
20C of the Act
(3) Application for an order under
paragraph 5A of Schedule 11 to the
Commonhold and Leasehold Reform Act
2002**

Tribunal member : **Judge C Goodall**

**Date and place of
hearing** : **Paper determination**

Date of decision : **15 June 2026**

DECISION

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Background

1. This application was made in July 2025. It is for a determination that two service charge invoices totalling £2,510.96 are not payable.
2. The Applicant is the lessee of the Property described above under a lease dated 29 May 2015. Under that lease he is obliged to pay a service charge in advance by two equal payments on 1 April and 1 October in each year.
3. Two service charge demands were prepared by the Respondents' agent for the half years 1 October 2022 – 31 March 2023 and for 1 April 2023 – 30 September 2023 ("the Invoices").
4. The Applicant's case is that he was only notified about the Invoices on 9 July 2025, and they had not been served on him prior to that date. Therefore, it was too late to demand payment of them as they had been demanded more than 18 months after the relevant costs had been incurred and were thus not payable under section 20B of the Act.
5. A case management hearing of the application was held on 27 November 2025. The Respondents were directed to provide a statement of case if they wished to oppose the application (see Direction 8). They did not do so.
6. Instead, the Managing Agents of the Property (but not the Respondents or their representative) sent an email to the Applicant on 5 January 2026 as follows:

“The freeholders, Vidya and Ram Goyal, have undertaken a thorough review of all representations and for commercial reasons have decided that they will pay the service charges raised under the disputed invoices, numbered 630 and 631, each in the sum of £1255.48 which cover the periods 01 10 2022 – 31 03 2023 and 01 04 2023 – 30 09 2023 respectively. Accordingly, credit notes for £2,510.96 will be issued to you shortly and will then be shown on your account.”
7. The Applicant has not withdrawn the application and has asked for it to be determined.

Determination

8. In the absence of any opposition by the Respondents to the application, I grant it. In practice it would appear to have been conceded. I determine that the Invoices are not payable. It appears that the Respondents have already refunded the Invoice total to the Applicant, but I have no direct knowledge of this.
9. I also make the costs protection orders applied for:

- a. I order that pursuant to section 20C of the Act, none of the costs incurred or to be incurred by the Respondents in connection with these proceedings are to be regarded as relevant costs to be taken into account in determining the amount of any service charge payable by the Applicant;
 - b. I order that any costs payable by the Applicant as a particular administration charge in respect of the litigation costs of these proceedings are extinguished pursuant to paragraph 5A of the Commonhold and Leasehold Reform Act 2002.
10. I also order that the Respondents must reimburse the Applicant the fee of £114.00 paid for the making of this application.
11. The Applicant has stated that he has incurred costs for legal advice. This Tribunal has no power to order the payment of costs by one party to the other (except as below) and I cannot order that the Respondents should pay the Applicants costs simply because he has succeeded in this application.
12. The Tribunal does have power to order the payment of costs by one party to the other if a person has acted unreasonably in bringing, defending, or conducting the proceedings (see Rule 13 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013). An application for Rule 13 costs has not explicitly been made within these proceedings. Under Rule 13(5) the Applicant has 28 days to bring such an application if he wishes.

Appeal

13. Any appeal against this decision must be made to the Upper Tribunal (Lands Chamber). Prior to making such an appeal the party appealing must apply, in writing, to this Tribunal for permission to appeal within 28 days of the date of issue of this decision (or, if applicable, within 28 days of any decision on a review or application to set aside) identifying the decision to which the appeal relates, stating the grounds on which that party intends to rely in the appeal, and stating the result sought by the party making the application.

Judge C Goodall
First-tier Tribunal (Property Chamber)