



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

Case reference : **LON/00BE/LSC/2026/0251
LON/00BE/OCE/2026/0026**

Property : **Kaleidoscope Apartments, 265
Lordship Lane., London SE22 8JG**

Applicant : **Kaleidoscope Apartments Freehold
Limited**

Representative : **Selfords Solicitors**

Respondents : **Assethold Limited**

Representative : **Eagerstates Ltd**

Type of application : **Section 27A Landlord and Tenant Act
1985 – payability of service charges**

Tribunal members : **Judge Tagliavini
Mr Richard Waterhouse MRICS**

Venue : **10 Alfred Place, London WC1E 7LR**

Date of decision : **12 August 2026**

DECISION

The tribunal's decisions

Application 1 - LON/00BE/LSC/2026/0251

- A. The sums payable to the respondent by the leaseholder of Flat 5 for (i) service charges are **NIL** and (ii) administration charges are **NIL**.

The tribunal has no jurisdiction to determine matters of ground rent.

- B. The tribunal determines the 'Appropriate Sum' is **£53,795 (Fifty Three Thousand Seven Hundred and Ninety Five Pounds)**.

Application 2 - LON/00BE/OCE/2026/0026

- C. The tribunal approves the terms of transfer as agreed between the parties, subject to the inclusion of the consideration at Box 8 of the TR1 payable of the sum **£53,795 (Fifty Three Thousand Seven Hundred and Ninety Five Pounds)**.

The applications

1. The tribunal is required to make the following determinations:

Application 1 - LON/00BE/LSC/2026/0251

The determination of the 'Appropriate Sum' by virtue of Subparagraph 3(1)(b) of Schedule 5 of the 1993 Act.

Application 2 - LON/00BE/OCE/2026/0026

The determination of the Form of Transfer.

Background

2. The applicant is Kaleidoscope Apartments Freehold Limited and the respondent is Assethold Limited, the freehold owner of the subject property known as Kaleidoscope Apartments, 265 Lordship Lane, London SE22 8JG,. Previously, the applicant made a claim for the freehold pursuant to section 13 of the Leasehold Reform, Housing and Urban Development Act 1993 ("the 1993 Act") dated 2 January 2024.

The respondent did not serve a counternotice pursuant to Section 21 of the 1993 Act.

3. On 16 June 2025, the Central London County Court made an order under Section 25(1) of the 1993 Act declaring the Applicant was entitled to acquire the freehold interest in Kaleidoscope Apartments, 265 Lordship Lane, London SE22 8JG.
4. On 18 December 2025 HH Judge Monty KC made an order in the Central London County Court that the form of transfer was to be agreed between the parties, or in default of agreement, approved by the Tribunal pursuant to Schedule 5 Paragraph 2(1)(a) of the 1993 Act.
5. Consequently, the tribunal has been asked to determine the ‘Appropriate Sum’ subject to the determination that this sum takes account of the sum as defined by Paragraph 3 of Schedule 5 to the 1993 Act, as being the aggregate of:
 - (i) the purchase price declared by the order of 16 June 2025, as being £75,400 less costs of £14,705 and £6900 ; plus
 - (ii) such other amount as any as falls to be included as part of the “Appropriate Sum” by virtue of Subparagraph 3(1)(b) of Schedule 5 of the 1993 Act.

The hearing

6. Neither party requested an oral hearing and therefore, the applications were determined on the papers provided in the form of a digital hearing bundle of 177 pages.

The tribunal’s reasons

The Appropriate Sum

7. In determining the ‘Appropriate Sum’ payable the tribunal took into account the respondent’s Statement of Case, in which it was asserted that the leaseholder of the Flat 5 owed the following sums:

(i)	Ground rent	£ 900.00
(ii)	Service charges	£4,362.34
(iii)	Administration charges	£4,813.04

Total: £10,075.34

8. The tribunal also had regard to the tribunal's decision dated 20 February 2025 in *LON/00BE/LSC/2022/0384* in which the all the leaseholders of Kaleidoscope Apartments challenged the payability of service charges for 2021 and 2022. The tribunal recorded in that decision that the leaseholders had been managing the subject property since april 2022 through a right to Manage Company. In that decision the tribunal determined:
 - (a) The total management fee for 2022 is limited to £900; and
 - (b) The total fee for cleaning for 2022 is limited to £1,000.
9. The tribunal also ordered the reimbursement of fees and made an order under s.20C Landlord and Tenant Act 1985 and Sch. 11 para 5A Commonhold and Leasehold Reform Act 2002 prohibiting the respondent from recovering its cost through the service charges or as administration charges. All sums of service charges had been paid by the leaseholders and therefore an overpayment of £25,134.92 had been made which had not been refunded by the respondent.
10. The applicant asserted that by reason of the overpayment, no sums were now owing to respondent whether from the leaseholder of Flat 5 or at all. The applicant also asserted the respondent had failed to explain or provide any documentary evidence as to how or why the sums alleged were due from the leaseholder of Flat 5.
11. In the absence of any evidence from the respondent to support its claim for outstanding sums due from the leaseholder of Flat 5, the tribunal prefers the submissions made by the applicant and the supporting documents on which it relies.

Terms of Transfer

12. The tribunal was informed the parties had agreed all of the terms of transfer except the sum payable in respect of the premium. However, by reason of the tribunal's determinations above, the tribunal determines the consideration at Box 8 of the draft TR1 payable is as recorded by the applicant as **£53,795 (Fifty Tree Thousand Seven Hundred and Ninety Five Pound).**
13. The tribunal now remits the application back to the County Court for any final Orders that may be necessary

Name: Judge Tagliavini

Date: 12 August 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 should be made on Form RP PTA available at <https://www.gov.uk/government/publications/form-rp-pta-application-for-permission-to-appeal-a-decision-to-the-upper-tribunal-lands-chamber>

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).