



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

Case Reference	: HAV/43UD/LAM/2026/0014
Property	: 14 Wharf Road, Ash Vale, Aldershot, Hampshire, GU12 5AS
Applicant	: Katy Miner (Flat A) Kamran Loqueman (Flat B) Anthony Raffermati (Flat D) David Severn (Flat E)
Representative	: Kamran Loqueman (Flat B)
Respondent	: Mohammed Farooq Choudhary
Representative	: Nicholas Leedham Coles Miller LLP
Type of Application	: Appointment of Manager Section 24 LTA 1987
Tribunal Members	: Tribunal Judge Pattni-Evans T Wong
Date and venue of Hearing	: 21 September 2026
Date of Decision	: 23 September 2026

DECISION

DECISION

A) The Tribunal determines that the application for the appointment of a manager pursuant to section 24 of the Landlord and Tenant Act 1987 is refused.

B) The reasons for decisions are given below.

INTRODUCTION

1. This is an application for the appointment of a manager pursuant to section 24 of the Landlord and Tenant Act 1987 (the '1987 Act'). The Applicants were represented by Mr Locqueman, a litigant in person, who appeared on their behalf (hereinafter referred to as the 'Applicants'). The Respondent did not attend the final hearing. The application was previously struck out automatically because the Tribunal had not received a hearing bundle as had been directed. However, the matter was reinstated once the procedural default was remedied pursuant to Rule 9(5) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 ('2013 Rules').
2. The property comprises five one and two-bedroom flats situated above a ground-floor retail unit. The building is estimated to have been constructed in or around 1970. The commercial unit is occupied by a Co-op store.
3. The ownership structure was not entirely clear from the documents before the Tribunal. The Tribunal was provided with a sample lease relating to Flat D, under which the lessors were identified as Mr Mohammed Farood Choudhary and Mr Kapoor Chand Sampla, trading

as “Ayyaz Homes”. Reference was also made to a superior lease, although a copy was not provided to the Tribunal.

4. The papers indicate that the freeholders of the wider estate are Mr Thair Hussain and Mr Babar Suleman, although their legal interests do not appear to be affected by this matter. The application also refers to ‘C&S Management Limited’, which the Tribunal understands to be the current management company owned and operated by the Respondent.
5. On 21 August 2026, the Tribunal received an application on behalf of the Respondent stating that the Respondent did not wish to contest the application for the appointment of a manager and intended to agree an order with the proposed manager. However, the application was refused by Regional Judge Whitney on 26 August 2026. This is because the jurisdiction under section 24 of the 1987 Act is very specific and requires the Tribunal to make a determination on the suitability of a manager in accordance with the statutory framework.
6. There are three key issues for the Tribunal to determine:
 - i) Whether the section 22 notice was valid.
 - ii) Whether the grounds for the appointment of a manager are satisfied, in particular:
 - a. the relevant breaches of obligation relied upon; and
 - b. whether it is just and convenient in all the circumstances of the case to make an appointment.
 - iii) Whether the proposed manager is a suitable person to be appointed, having regard to the Practice Statement on the Tribunal's Consideration of Who to Appoint as a Manager (Revised Version, July 2023).

Validity of the Section 22 Notice

7. The Applicants sought to rely upon a letter dated 23 June 2026, which was sent to the Respondent by both email and post. The letter referred to the Property and raised several concerns regarding the management of the building, including outstanding repairs, health and safety issues, service charge administration, and alleged failures to adequately maintain the communal areas and the structure of the building. The letter also stated that the leaseholders had applied to the First-tier Tribunal for the appointment of a manager under the 1987 Act.
8. The Applicants contended that this letter constituted a valid notice under section 22 of the 1987 Act. The Tribunal does not accept that submission. In the Tribunal's view, the letter was insufficient to satisfy the statutory requirements of section 22 for three reasons.
9. First, section 22 says that, before an application under section 24 is made, notice must be served which complies with the requirements set out in section 22(2)(a) to (e) of the 1987 Act. Whilst the letter identified the Property, it did not properly specify the grounds upon which the Tribunal would be asked to make an order under section 24, nor did it identify with sufficient precision the matters to be relied upon in support of those grounds.
10. The relevant "grounds" are those set out in section 24 and require the Applicants to identify the obligations owed by the landlord or manager by reference to the lease and how the Applicants say that those obligations were broken. The letter contained generalised complaints about the management of the building and did not identify the relevant lease provisions or alleged breaches with the degree of detail required by the statute.
11. Secondly, section 22(2)(d) of the 1987 Act requires that, where the matters complained of are capable of being remedied, the notice must

specify a reasonable period within which remedial action may be taken. The matters relied upon by the Applicants, including repairs, maintenance and management failings, were all matters capable of remedy. Indeed, the Applicants' case was that the Respondent was addressing some of those matters, but inadequately. The letter did not specify any period within which the Respondent could remedy the alleged failings and therefore failed to comply with this statutory requirement.

12. Thirdly, and most significantly, it became apparent upon examination of the papers that the purported section 22 notice was served after the application had already been made to the Tribunal. Section 23 of the 1987 Act prohibits an application under section 24 from being made unless and until a valid section 22 notice has first been served. Service of the notice is therefore a statutory precondition to the Tribunal's jurisdiction. The circumstances in which dispensation may be granted do not arise on the facts of this case.

13. Accordingly, the Tribunal concludes that no valid notice was served under section 22 of the 1987 Act prior to the making of the application. As compliance with section 22 is a statutory prerequisite to an application under section 24, the defect is jurisdictional in nature. It follows that the application cannot succeed.

Whether the Grounds for the Appointment of a Manager Were Established

14. In light of the Tribunal's conclusion that the section 22 notice was invalid, it is unnecessary to determine whether the grounds for the appointment of a manager under section 24 were established. However, as the Applicants were represented by a litigant in person, the Tribunal briefly sets out its observations on this issue which expands on the points raised in paragraphs 9 and 10 above.

15. One of the grounds relied on was an alleged failure to maintain the communal electricity supply and lighting. However, the relevant terms of the lease-imposed obligations on the landlord that were conditional upon service charges being paid by the leaseholders. The evidence before the Tribunal did not establish that those preconditions had been met. Only a sample lease was provided, and there was no evidence that all leases were in identical terms or that all had paid the service charges required under them. Indeed, Mr Locqueman admitted that his own service charge payments had previously been withheld as a result of disputes with Mr Choudhary over what needed to be done and by when.
16. Turning to the other grounds, the Tribunal gave Mr Locqueman an opportunity during the hearing to identify the specific lease provisions relied upon in support of the remaining grounds. In response, he accepted he was unsure which provisions covered the grounds 2 to 7 and therefore could not pursue them. In terms of ground 8, which concerned a failure to provide accounting information, he referred to a letter from Howells Solicitors asserting that Mr Choudhary had failed to provide a certificate required by paragraph 6 of the Fifth Schedule to the lease.
17. While such allegations were capable of amounting to breaches of covenant, the evidence lacked the detail necessary for the Tribunal to make findings of breach. There was insufficient evidence as to the operation of the relevant lease provisions, the factual circumstances relied upon, and the respects in which the Respondent was said to have failed to comply with its obligations by reference to dates and charging periods.
18. Accordingly, even if the application had not failed on jurisdictional grounds, the Tribunal would have had considerable difficulty in concluding on the evidence before it that the alleged grounds had been established.

Suitability of the Proposed Manager

19. As to the third issue, namely the suitability of the proposed manager, the Tribunal notes that when the application was first made it was envisaged that Mr Locqueman would be appointed as manager. However, by the date of the hearing, Mr Locqueman explained that the leaseholders had since incorporated a management company and that it was now proposed that the company would assume management responsibilities.
20. The Tribunal was provided with very limited evidence regarding the proposed management company and was therefore not in a position to make any assessment of its suitability. In any event, the Practice Statement on the Tribunal's Consideration of Who to Appoint as a Manager (July 2023) indicates that the Tribunal will ordinarily appoint a named individual rather than a company or firm.
21. In light of the Tribunal's findings on the validity of the section 22 notice, it is unnecessary to consider this aspect of the application further.

Conclusion

22. The Tribunal notes that there appear to be genuine and longstanding concerns regarding the management of the building. The Respondent's indication in August 2026 that it did not intend to oppose the appointment of a manager lends some support to that conclusion.
23. The application is dismissed because the statutory requirements of sections 22 and 24 of the 1987 Act have not been satisfied. This decision should not be taken as an endorsement of the current

management arrangements or as a determination of the underlying complaints raised by the leaseholders.

APPEAL RIGHTS

A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application by email to rpsouthern@justice.gov.uk.

The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.

If the person wishing to appeal does not comply with the 28-day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28-day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.

The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.