FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case reference	**:**	**LON/00BK/HTA/2026/0004.**
Property	**:**	**The Water Gardens, London W2 2DB.**
Applicant	**:**	**Mr. Deepesh Kapadia.** **Mr. Mohammad Al-Sayegh.**
Representative	**:**	**In person.**
Respondent	**:**	**The Water Gardens Residents' Association.**
Representative	**:**	**In person.**
Type of application	**:**	**Application to cancel a Certificate of Recognition.**
Tribunal member(s)	**:**	**Tribunal Judge Hamilton-Farey.**
Venue	**:**	**Remote.**
Date of decision	**:**	**28 October 2026.**

DECISION

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1. The Tribunal did not have jurisdiction to cancel a Certificate of Recognition where the Tribunal did not initially grant that Certificate.

Background

2. By an application dated 15 February 2026, the applicants sought the cancellation of a Certificate of Recognition in relation to the Respondent Residents Association.

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3. Copies of the application were sent to the Respondent for comment.

4. One of the named persons within the application, Mr. Brody, contacted the Tribunal to inform them that the Landlord, The Church Commissioners, had granted a Certificate of Recognition in 2019, and that that Certificate had not been cancelled.

5. On 5 June 2026 the Tribunal received the Landlord's agents' letter granting Recognition to the WGRA with effect from

6. On 12 June 2026 the Tribunal wrote to the parties to say, that it considered that, as a Certificate had been given by the Landlord, the Tribunal would not be able to cancel it, and the Tribunal's jurisdiction only became engaged when a Landlord refused to recognise an Association.

7. On 11 September 2026 the Tribunal was provided with the Landlord's letter of recognition dated 25 July 2019. It does not appear that an end-date was included.

8. On 11 September 2026 the Tribunal received a letter from the Respondents to say that following a general meeting on 18 August 2026, by a majority resolution, the WGRA was wound-up. The Landlord was informed, and therefore any Recognition by the Landlord came to an end on that date.

9. There has been a large amount of correspondence in this matter, relating to the running of the WGRA, lack of meetings and accountability. Those matters are not for this Tribunal where a Certificate has not been granted, in any event, the Tribunal has no supervisory roles over Recognised Residents' Associations, and the Tribunal's jurisdiction extends only to the grant and cancellation of a Certificate.

10. In their submissions the applicants appeared to accept that the Tribunal lacked jurisdiction, when they stated *'The Applicants accept that section 29(3) speaks expressly of the cancellation of a Tribunal certificate, rather than the withdrawal or cancellation of written recognition granted by a Landlord. A Landlord's written notice is not a Tribunal certificate, and the power to cancel the latter cannot, without clear statutory language, be extended to the former'.*

11. There is no clear statutory language that extends the Tribunal's jurisdiction in this matter.

12. The Respondents confirmed that in their view the Tribunal lacked jurisdiction to cancel the Certificate.

13. The Tribunal accepts the arguments by the parties and confirms its earlier decision that it lacks jurisdiction to cancel a Certificate in the circumstances where recognition has been granted by the Landlord and not the Tribunal.

The law

14. S.29 Landlord & Tenant Act 1985 applies to the recognition of residents' associations.

*15. "A recognised tenants' association is an association of 'qualifying tenants' of dwellings (whether with or without other tenants) which is recognised for the purposes of the service charge provisions of the Landlord and Tenant Act 1985. Recognition is **either** by a notice in writing given by the Landlord to the secretary of the association **or** by a certificate granted by the Tribunal."*

16. It is the Tribunal's view that the words Either and Or are clear, either the Landlord recognises the Association, or where it does not, the Tribunal may grant a Certificate, provided the Association meets the relevant criteria.

17. It is also the Tribunal's view that only the Landlord/Tribunal that recognised the Association can cancel that Certificate/recognition. In this case that was the Church Commissioners.

18. The Tribunal confirms that only the Landlord can cancel the Certificate in these circumstances, and the Tribunal has no jurisdiction to do so.

19. The Tribunal confirms that it had no jurisdiction to cancel the Certificate. It appears in any event, that the Association was wound-up during these proceedings, and there is therefore no Certificate/Recognition to be cancelled.