FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case reference	**:**	**LON/00AJ/OLR/2025/1020**
Property	**:**	**Flat B, 145 Lynton Road, London W3 9HN**
Applicant	**:**	**Julia Rachel Millar**
Representative	**:**	**Mr Olgivie-Harris, counsel**
Respondents	**:**	**(1) Abdol Khalegh Al Sharifi (landlord/freeholder)** **(2) Jabbar Kishmir Khan (missing landlord/freeholder)** **(3) Lurahurst Limited (Intermediate landlord)**
Representative	**:**	**Mr Patrick Sandhu for first respondent** **No appearance for 2nd and 3rd respondents**
Type of application	**:**	**For the determination of the premium payable and terms of a new lease**
Tribunal members	**:**	**Judge Tagliavini** **Mr D Jagger MRICS**
Venue	**:**	**10 Alfred Place, London WC1E 7LR**
Date of hearing **Date of decision**	**:**	**3 November 2026** **4 November 2026**

DECISION

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Decisions of the tribunal

(1) The tribunal determines the premium payable in respect of the subject property at **Flat B, 145 Lynton Road, London W3 9HN**is **£25,353** (twenty five thousand three hundred and fifty three pounds) apportioned as follows:

(i) Freeholders: £25,285

(ii) Intermediate landlord: £68

(2) The tribunal approves the terms of the new lease in the form provided in the digital bundle subject to the inclusion of the inclusion of the premium payable.

The application

1. This is a claim for the grant of a new lease that was made pursuant to the provisions of the Leasehold Reform, housing and Urban Development Act 1993 ('the 1993 Act').The claim was transferred to the tribunal by an Order dated 28 August 2025 of DDJ Bennett-Harrison sitting at the County Court at Bromley in which it was ordered that:

> *The question of the premium payable and the terms of the Claimant's acquisition of a new lease of Flat B, 145 Lynton Road, London W3 9HN be transferred to and determined by the First-Tier tribunal.*

Background

2. The subject property at Flat B is held on a lease for 125 years less three days from 1st January 1979 with a ground rent of £35 increasing to £70 and £105. The ground rent was reviewed in 2019 to £70 per annum. The next review will be 2059 where the ground rent will increase to £105 for the remainder of the term.

3. The respondent landlords are the owners of the freehold reversion to the Property which is registered at HM Land Registry under title number MX438079. The third respondent is the intermediate landlord. The residue of the term of the previous lease is vested in the applicant tenant and is registered at HM Land Registry under title number NGL389142 and expires three days before the head lease.

3. Under Chapter II of Part I of the 1993 Act, the tenant has the right to acquire a new lease of the Property. The tenant made a claim to exercise

that right by giving notice of the claim to the Landlords on 21 December 2023. The first respondent admitted the claim by a counter-notice dated 15 February 2024 and pursuant to section 56 of the 1993 Act, the first respondent agreed to grant and the tenant has agreed to take a lease of the Property on the terms set out in this lease.

4. By the Order dated 28 August 2025, DDJ Bennett-Harrison 'Ordered That':

> *The Claimant shall be entitled to a new lease under section 56 of the leasehold Reform, Housing and Urban Development Act 1993 on such terms as may be determined by the first-tier Tribunal to be appropriate as if the Claimant had, at the date of this claim, given notice under s.42 of the Act of her claim to exercise the right to acquire a new lease of flat B, 145 Lynton Road, London W3 9HN.*

The hearing

5. The tribunal held a remote video hearing for the determination of this application at which the applicant was represented by Mr Olgivie-Harris of Counsel and the first respondent by Mr Phillip Sandhu. Mr Ryan Bridges BSc(Hons) MTPI, AssocRICS, RICS Registered Valuer of Maitlands Acorn Professional Limited also attended in order to speak to his valuation report which was included in a hearing bundle of 167 digital pages.

6. The tribunal was informed the applicant and first respondent had agreed both the amount of the premium and the terms of the new lease. However, in the absence of the second respondent the tribunal was required to be satisfied this agreement on the premium and lease terms were reasonable and appropriate in the event the second respondent or parties to his estate came forward

7. The terms agreed were:

   (i) The applicant is entitled to an extension of their existing lease for a further 90 years. .

   (ii) The ground rent under the Lease should diminish to that of a peppercorn.

   (iii) The Valuation Date is the 17th July 2024 as per the date on which the claim was issued in the County Court.

   (iv) The unexpired term is 79.45 years.

(v) The Deferment Rate is 5%.

(vi) The Capitalisation Rate is 6.5%.

(vii) Marriage value is payable.

(viii) The premium payable is £25,353 of which £68 is payable to Intermediate Landlord.

8. Having reviewed the valuation report of Mr Bridges, the tribunal was satisfied that appropriate care had been taken to consider the subject property together with valuation components such as comparable evidence, calculation of relativity and appropriate rates for deferment and capitalisation in determining the premium payable. Therefore, the tribunal concurs with the agreement reached between the parties and the premium payable of **£25,353.**

9. The tribunal also considered the terms of the draft deed of surrender and draft of the new lease and approved the suggested form and terms subject to the inclusion of the amount of the premium payable.

10. The tribunal now remits this matter back to the County Court at Bromley for any final orders that may be required.

Name: Judge Tagliavini **Date:** 4 November 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).