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

Case reference : **LON/00
AG/LSC/2013/0401**

Property : **Flat 2 (First Floor), 18 Kingdom
Road, London NW6 1PH**

Applicant : **Mr Michael Haeems - tenant**

Representative : **N/A**

Respondent : **Libra Property Management
Limited - landlord**

Representative : **Ronald Fletcher Baker LLP**

Type of application : **Costs**

Tribunal member(s) : **Judge Tagliavini**

**Date and venue of
hearing** : **14 October 2013 at 10 Alfred Place,
London WC1E 7LR**

Date of decision : **14 October 2013**

DECISION

Decisions of the tribunal

- (1) The tribunal determines that the respondent should refund the £100 application fee paid by the applicant within 14 days of the date of this decision.
- (2) The tribunal makes no other orders for costs.

The application

1. The applicant had sought a determination as to the payability of service charges in an application dated 10 June 2013. After a case management conference held on 4 July 2013, it was conceded by the respondent that none of the disputed service charges were payable and that the costs of this litigation before the tribunal would not be added to the service charges.
2. The applicant however seeks the costs of the application (£100) together with a wasted costs order pursuant to paragraph 10 of schedule 12 of the Commonhold and Leasehold Reform Act 200 providing the tribunal under the “old” procedural rules applicable to costs issues, the power to award up to £500 for vexatious and abusive conduct.

The tribunal’s decision and reasons

3. The tribunal determines that the application was properly made by the applicant in the first instance. However, the tribunal accepts that the respondent conceded the application at an early date and cannot be said to be vexatious, frivolous, abusive, disruptively or otherwise unreasonably in its conduct of proceedings. Further, the tribunal notes that the applicant has not set out any further costs incurred by him in respect of this application despite having been invited by the tribunal to do so. Consequently, the tribunal is of the view that the applicant has not suffered any other identifiable financial loss as a result of this application and the respondent’s concessions to it.
4. In conclusion the tribunal determines that a sum of £100 is payable to the applicant by the respondent within 14 days in respect of costs.

Name: LM Tagliavini

Date: 14 October 2013