



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

Case Reference : **LON/00BB/0C9/2015/0363**

Property : **35c Warwall, E6 6WQ**

Applicant : **East Homes Limited**

Representative : **Winckworth Sherwood Solicitors**

Respondent : **Gladys Mann**

Representative : **Sandhu & Shah Solicitors**

Type of Application : **Application for determination of reasonable costs – flats and premises – Section 91(2)(d) Leasehold Reform, Housing and Urban Development Act 1993**

Tribunal : **Mr M Martynski (Tribunal Judge)**

Date of Decision : **20 October 2015**

DECISION

Decision summary

1. The costs payable to the Applicant are £1158.00 (inclusive of VAT and disbursements).

Background

2. The Applicant's claim for costs arises out of the Respondent's claim to acquire a new lease of the subject flat. Her Notice of Claim is dated 31 March 2015. According to the Applicant's solicitors, that Notice was not served until 6 May. The Notice gave a deadline for response of 18 June. Again, according to the Applicant's solicitors, the lease of the property in question and the Claim Notice were assigned by the Respondent to a Mr Mustaq Lekdu on 2 April 2015.
3. The freehold interest of the subject building is held by the Applicant.
4. Following a challenge to the validity of the Notice of Claim and the Respondent's solicitors acceptance that the Notice was invalid; on 12 June 2015 the Applicant's solicitors demanded their costs from the Respondent.

The Application

5. The Applicant's application to this tribunal is dated 11 August 2015. In that application the Applicant seeks the costs referred to above and claimed from the Respondent in correspondence, those being the total sum of £1158.00.
6. The application was set down to be dealt with on the Paper Track. Only the Applicant complied with the directions. No Statement of Case was received from the Respondent.
7. No party requested a hearing and I have therefore decided this application on the basis of the Statement of Case and supporting papers submitted by the Applicant.
8. By letter dated 16 October 2015, Mr Mustaq Lekdu wrote to the tribunal referring to the Applicant's application and stating that he had taken an assignment of the lease in question and an assignment of the Claim Notice from the Respondent. He stated that he is the person responsible for the Applicant's costs.

Decision

9. I agree that the Respondent is the person liable to pay the Applicant's costs.
10. I have considered the breakdown of costs provided by the Applicant's solicitors and I have found those costs to be reasonable in the circumstances of this case.

Mark Martynski, Tribunal Judge
20 October 2015