



All's

**FIRST-TIER TRIBUNAL**

**PROPERTY CHAMBER**

**(RESIDENTIAL PROPERTY)**

**Case reference** : **CAM/12UE/LSC/2021/0012**

**HMCTS code**  
**(paper, video,** : **P: PAPER**  
**audio)**

**Property** : **Various properties at Lavenham Court,**  
**Botolph Green, Peterborough PE2 7ZF**

**Applicant** : **Various leaseholders as listed in the**  
**application**

**Representative** : **Mr T Palmer, leaseholder of 24 and 28**  
**Lavenham Court**

**Respondent** : **Holdings & Management (Solitaire) Ltd**

**Representative** : **Mr R Alford of counsel**

**Type of application** : **For the determination of the liability to**  
**pay service charges under section 27A of**  
**the Landlord and Tenant Act 1985**

**Tribunal members** : **Judge S Brilliant**  
**Mr R Thomas MRICS**

**Date of hearing** : **05 August 2021**

**Venue** : **Cambridge County Court,197 East Road,**  
**Cambridge CB1 1BA**

**Date of decision** : **13 December 2021**

**Date of s.20C**  
**decision** : **10 February 2022**

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## DECISION

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### **The application**

1. In our substantive decision dated 13 December 2021, we found that the applicants were overwhelmingly successful in their challenge to the service charges claimed by the respondent.
2. We have received an application from the applicants for an order under s.20C of the 1985 Act that the respondent be prevented from passing the costs of these proceedings through the service charge. Mr Palmer said that their challenges were upheld in 87% of the disputed matters.
3. The respondent was sent notice of this application but did not respond.
4. We find that this is an appropriate case in which to make an order under s.20C of 1985 that the respondent be prevented from passing the costs of the proceedings through the service charge.

**Name:** Simon Brilliant

**Date:** 10 February 2022

### **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).