



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

**Case reference** : **BIR/00FN/LIS/2021/0012**

**Properties** : **Flats 19, 25 and 27, The Albany, 240  
London Road, Leicester LE2 1RH**

**Applicants** : **Harjinder Sandhu (1)  
Urvashi Chotai (2)  
Hansa Madhani (3)**

**Representative** : **Nirupa Mawby (to 18 March 2022)**

**Respondent** : **Peppercorn Property Investment Ltd**

**Representative** : **Mr Martin Nathan, Director**

**Type of application** : **Application for determination of  
liability to pay and reasonableness of  
service charges under sections 27A and  
19 of the Landlord and Tenant Act 1985;  
Application for an order under section  
20C of the Landlord and Tenant Act  
1985; Application under paragraph 5A  
of Schedule 11 to the Commonhold and  
Leasehold Reform Act 2002 for an  
order reducing or extinguishing a  
tenant's liability to pay an  
administration charge in respect of  
litigation costs**

**Tribunal members** : **Judge C Goodall  
Mr D Satchwell FRICS**

**Date and place of  
hearing** : **22 March 2022 by video hearing**

**Date of decision** : **20 May 2022**

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**DECISION ON COST PROTECTION ORDERS**

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## **Background**

1. On 6th April 2022, the Tribunal issued a decision (“the April Decision”) on the Applicants’ substantive application under section 27A of the Landlord and Tenant Act 1985.
2. The applications under:
  - a. section 20C of the Landlord and Tenant Act 1985 for an order that any of the Respondent’s cost in the application should not be regarded as relevant costs in determining the amount of any service charge payable by the Applicants; and
  - b. paragraph 5A of Schedule 11 to the Commonhold and Leasehold Reform Act 2002 for an order reducing or extinguishing a tenant’s liability to pay an administration charge in respect of litigation costs (“the Costs Applications”)were not determined in the April Decision. By paragraph 49 of the April Decision, the parties were invited to make written submissions on the Costs Applications, after which the Tribunal would make a determination.
3. Ms Sandhu made submissions in an email dated 19 April 2022. No submissions have been received from either of the other Applicants, nor from the Respondent.
4. As the Costs Applications are therefore in effect unopposed, the Tribunal will grant them in favour of Ms Sandhu.

## **Order**

5. The Tribunal orders that:
  - a. None of the costs incurred or to be incurred by the Respondent in these proceedings are to be regarded as relevant costs to be taken into account in determining the amount of any service charge payable by Ms Sandhu;
  - b. Ms Sandhu’s liability to pay any administration charge for litigation costs arising from these proceedings is extinguished.

## **Appeal**

6. Any appeal against this decision must be made to the Upper Tribunal (Lands Chamber). Prior to making such an appeal the party appealing must apply, in writing, to this Tribunal for permission to appeal within 28 days of the date of issue of this decision (or, if applicable, within 28 days of any decision on a review or application to set aside) identifying the decision to which the appeal relates, stating the grounds on which that

party intends to rely in the appeal, and stating the result sought by the party making the application.

Judge C Goodall  
Chair  
First-tier Tribunal (Property Chamber)