



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

Case Reference : LON/00BK/LSC/2022/0154

Property : 2 Falmouth House, London W2 2NT

Applicant : FALMOUTH HOUSE LTD

Respondents : MR AND MRS DAO

**Type of Application : Determination as to the reasonableness and
payability of service charges.**

**Tribunal Members : Judge Shepherd
Stephen Mason FRICS**

FURTHER DETERMINATION

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1. Following the Tribunal's determination dated 29th November 2022 the parties made submissions in relation to the sums due once Limitation is taken into account. The Tribunal calculates that the following sums are due:

2. The sums due in service charge and reserve fund for the period December 2016 to June 2017 is £4368.48 taking into account payments made by the Respondents.
3. The sums due in service charge and reserve fund from September 2017 onwards are £29511.69.
4. Accordingly, the total sum due is determined at **£33880.17**.
5. Mr Dao sought in his further submissions to raise the issue of s.20B. In his evidence to the Tribunal he admitted that he had received demands that he had originally said he had not received. S.20B was not an issue pursued by the Respondents. Even if it had been it's unlikely it would have been successful in allowing Mr Dao to avoid payment of sums due because the demands appear to have been made on time.
6. The Applicants have made an application for costs pursuant to Rule 13. Mr Dao should make any response to this application by 4 pm on 13th February 2023. He should confine his submissions to the question of costs as all other issues have now been decided. After receipt of his submissions the Tribunal will determine the issue of costs.

Judge Shepherd

27th January 2023

ANNEX - RIGHTS OF APPEAL Appealing against the tribunal's decisions

1. A written application for permission must be made to the First-tier Tribunal at the Regional tribunal office which has been dealing with the case.
2. The application for permission to appeal must arrive at the Regional tribunal office within 28 days after the date this decision is sent to the parties.
3. 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.
4. The application for permission to appeal must state the grounds of appeal, and state the result the party making the application is seeking. All applications for permission to appeal will be considered on the papers
5. Any application to stay the effect of the decision must be made at the same time as the application for permission to appeal.