



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

Case reference : **LON/00AP/LRM/2014/0016**

Property : **160 Ferme Park Road, London N8
9SE**

Applicant : **Assehold Limited**

Representative : **Scott Cohen Solicitors**

Respondent : **160 Ferme Park Road RTM
Company Ltd**

Representative : **Urban Owners Limited**

Type of application : **Application for permission to
appeal**

Tribunal members : **Judge O'Sullivan**

Venue : **10 Alfred Place, London WC1E 7LR**

Date of decision : **16 January 2015**

DECISION

DECISION OF THE TRIBUNAL

1. The tribunal has considered the applicant's request for permission to appeal dated 4 December 2014 but stamped as received by this tribunal on 8 December 2014.
2. The tribunal's decision in this matter was issued to the parties under cover of a letter dated 7 November 2014. A guidance note was included which stated as follows;

"An application to the First-Tier Tribunal for permission to appeal must be made so that it is received by the Tribunal within 28 days after the date upon which the Tribunal sends its reasons for the decision."

3. The guidance note goes on to state that:

"If made after 28 days the application for permission may include a request for an extension of time with the reason why it was not made within time. Unless the application is made in time or within granted extended time the tribunal must reject the application and refuse permission."

4. The application for permission to appeal was not received by the tribunal within 28 days of the date upon which the decision was issued.
5. Further the appeal did not include a request for an extension of time with the reason why the application for appeal was not made within the time.
6. Accordingly the application for permission to appeal is out of time and cannot be accepted by the tribunal in accordance with Rule 52 (4)(b) of the Tribunal Procedure (First –tier tribunal((Property Chamber) Rules 2013. The relevant provisions are attached in the appendix to this decision.
7. In accordance with section 11 of the Tribunals, Courts and Enforcement Act 2007 and rule 21 of the Tribunal Procedure (Upper Tribunal) (Lands Chamber) Rules 2010, the applicant may make further application for permission to appeal to the Upper Tribunal (Lands Chamber). Such application must be made in writing and received by the Upper Tribunal (Lands Chamber) no later than 14 days after the date on which the First-tier Tribunal sent notice of this refusal to the party applying for permission to appeal.

Name: Sonya O'Sullivan

Date: 16 January 2015

Appendix - relevant legislation

The Tribunal Procedure (First-tier) (Property Chamber) Rules 2013

Application for permission to appeal

52.—(1) A person seeking permission to appeal must make a written application to the Tribunal for permission to appeal.

(2) An application under paragraph (1) must be sent or delivered to the Tribunal so that it is received within 28 days after the latest of the dates that the Tribunal sends to the person making the application—

(a) written reasons for the decision;

(b) notification of amended reasons for, or correction of, the decision following a review; or

(c) notification that an application for the decision to be set aside has been unsuccessful.

(3) The date in paragraph (2)(c) applies only if the application for the decision to be set aside was made within the time stipulated in rule 51 or any extension of that time granted by the Tribunal.

(4) If the person seeking permission to appeal sends or delivers the application to the Tribunal later than the time required by paragraph (2) or by any extension of time under rule 6(3)(a) (power to extend time)—

(a) the application must include a request for an extension of time and the reason why the application was not received in time; and

(b) unless the Tribunal extends time for the application under rule 6(3)(a) (power to extend time) the Tribunal must not admit the application.

(5) An application under paragraph (1) must—

(a) identify the decision of the Tribunal to which it relates;

(b) state the grounds of appeal; and

(c) state the result the party making the application is seeking.