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Our Ref: M/EH 2251c

**LEASEHOLD VALUATION TRIBUNAL
OF THE
MIDLAND RENT ASSESSMENT PANEL**

Leasehold Reform Act 1967

Housing Act 1980

DECISION OF LEASEHOLD VALUATION TRIBUNAL

ON AN APPLICATION UNDER S21 OF THE LEASEHOLD REFORM ACT 1967

Applicant: Mrs B H M Walker

Respondent: Marsu Properties Ltd

Re: 40 Bracken Close, Burntwood, Staffordshire, WS7 9BD

Date of Tenants Notice: 26 March 2001

RV as at 1.4.73: £235.00

Application dated: 28 May 2001

Heard at: Panel Office

On: Tuesday 17 December 2001

APPEARANCES:

For the Tenant: J Moore – Midland Valuations

For the Landlord: Not represented

Members of the Leasehold Valuation Tribunal:

Mr J R Bettinson LLD (Chairman)

Mr D J Satchwell

Mrs N Jukes

Date of Tribunals decision: 24 JAN 2002

**LEASEHOLD VALUATION TRIBUNAL
OF THE
MIDLAND RENT ASSESSMENT PANEL**

Our Ref: M/LRC 275

DECISION OF LEASEHOLD VALUATION TRIBUNAL

*ON AN APPLICATION UNDER SECTION 21(1) (ba)
OF THE LEASEHOLD REFORM ACT 1967*

Applicant: Mrs B H M Walker

Respondent: Marsu Properties Ltd

Re: 40 Bracken Close, Burntwood, Staffordshire, WS7 9BD

Date of Tenants Notice: 26 March 2001

Application to Tribunal dated: 28 May 2001

Heard at: Panel Office

On: Tuesday 17 December 2001

APPEARANCES:

For the Applicant: Mr J Moore – Midland Valuations

For the Respondent: Not Represented

Members of the Leasehold Valuation Tribunal:

Mr J R Bettinson LLBD (Chairman)
Mr D J Satchwell
Mrs N Jukes

Date of Tribunals decision: 24 JAN 2002

**REASONS FOR THE LEASEHOLD VALUATION TRIBUNAL
DECISION IN RESPECT OF:**

40 Bracken Close, Burntwood, Staffordshire, WS7 9BD

APPLICATION:

This is a reference to determine the price to be paid by the Tenant Mrs Walker for the Freehold interest in the property known as 40 Bracken Close, Burntwood, Staffordshire in accordance with the provisions of the Leasehold Reform Act 1967 as amended. The Tenant holds the property under a Lease dated 1st March 1965 for the unexpired residue of a term of 99 years from 29th September 1964 at a yearly ground rent of £20.

The Tenant's Notice of Claim to acquire the Freehold interest was dated 26th March 2001 when some 62½ years of the term remained unexpired. The Parties accept that the qualifying conditions for enfranchisement under the Act have been met.

INSPECTION

Prior to the Hearing, the Tribunal called to see the property which they found on inspection to be a semi detached dormer bungalow constructed of brick and tile situated in a quiet road of similar properties close to the centre of Burntwood and its facilities. The accommodation comprises on the ground floor a living room (with conservatory off) cloak room, kitchen, dining room and second living room (or bed room) and on the upper floor the principal bedroom and a combined bathroom and wc. There are gardens at the front and rear with a detached garage in the latter approached by a side driveway.

The site of the subject property has a road frontage of 8.84 metres and an area of some 324 square metres.

THE HEARING

This was attended by Mr J Moore of Midland Valuations on behalf of the Tenant. The Landlord was not present or represented. Mr Moore tabled a written submission incorporating his valuation as follows: -

Term:

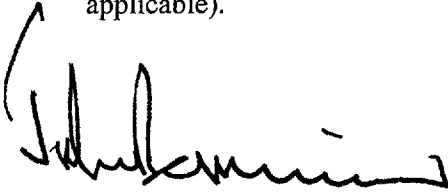
Ground Rent	£20.00		
YP 62½ years @ 7%		14.077	£281.54

Reversion:

Entirety Value	£80,000		
Site Value @ 33.3%	£26,640		
Section 15 Rent @ 7%	£1,864.80		
YP deferred 62½ years @ 7%		0.208	£387.88
			<u>£669.42</u>

COSTS

We are also asked to determine the Landlords costs. There is no evidence that the Freeholder's Agents prepared a valuation other than that submitted for the purposes of the present hearing, for which the Tenants are not responsible. So far as legal costs are concerned Mr Moore suggests £200 but it is not clear whether the freehold title is registered. If it is then we award £225, if it is not then we award £275 in both instances plus disbursements and VAT (if applicable).



J. R. BETTINSON

Chairman

Date: 24 JAN 2002