

LON/00AU/LVM/2008/0001

RESIDENTIAL PROPERTY TRIBUNAL SERVICE**LEASEHOLD VALUATION TRIBUNAL
DECISION ON APPLICATION UNDER S.24 OF LANDLORD
AND TENANT ACT 1987**

Property 40 St Johns Lane, London EC1M 4 BJ

**Applicants/
Tenants** Ms D Jefferies
Mr. P Murphy
Ms. J Taylor

Respondent CYZ Ltd

Application The application sought by the Applicant was for an order to extend the Management Order

Tribunal Ms M Daley Chairman (LLB.Hons)
Dr A.M Fox BSc PHD MCI Arb

Date of Hearing 21 January 2008

Appearances Ms. Jefferies and Ms Jane Taylor for the Applicants
The Respondent did not appear and was not represented

The Application

1. The Tribunal received an application dated 13th December 2007, under Section 24 of the Landlord and Tenant Act 1987. On the grounds that the

- previous management order, dated 24 January 2003 was for a period of 5 years, and that the management order was due to expire on 24 January 2008.
2. The Applicants had in the bundle at page 11, set out as set out their grounds and stated -: *“ The residential leaseholders continue to provide a high standard of service for both residents and commercial tenants. The management priorities are good standard and timely maintenance and repair of the property, full and proper accounting of costs and charges and high standard, cost effective services to both residential and commercial leaseholders.”*
 3. The Applicants had included in the bundle the service charge certificates for the last five years, the most recent bank statement together with explanatory notes and the condition survey and planned maintenance programme dated October 2007.
 4. There was also a letter from the Freeholders of the property (the Respondents CYZ) dated 16 January 2008 that stated that they had no objection to the granting of another five-year extension to the existing order dated 23 January 2003.
 5. The Applicants in support of their application and in answer to questions by the Tribunal indicated their willingness to continue to manage the property and indicated that they had good relationships with both the landlord and the commercial tenant and that they had discharged their management duties in accordance with the Tribunal order. The Applicants stated that they were happy to continue to manage the property, and wanted the Tribunal to consider extending the order for a period in excess of five years.

The Decision of the Tribunal

6. The Tribunal appoints 40 St John's Lane Management Company Ltd as managers of the property at 40 St John's Lane/37-41 St John's Street for seven years from the date of this order, the order shall be subject to the following terms-:
 - a. That 40 St John's Lane Management Company Ltd manage the property in accordance with the respective obligations of the lessor and lessees under the various leases by which the flats and the commercial premises in the property

are demised in accordance with the RICS Service Charges Residential Management Code (as updated from time to time).

- b. 40 St John's Lane Management Company Ltd shall continue to carry out the planned cyclical maintenance, to manage the budget with suitable sums held in reserve, to review the requirements arising from the lease of the commercial premises, to arrange for service and maintenance of the fire alarm system and to enter into any necessary contracts to ensure that any relevant health and safety requirements are complied with.
- c. Each party, and the lessees of the commercial premises, namely Hurford Salvi Carr, have the right to apply to the Tribunal at any time before the expiry of the appointment as manager for variation or discharge of all or any part of the Tribunal's order.

Signed.....*M. Kelly*.....

Chair

Dated...*30-1-08*.....