

**RESIDENTIAL PROPERTY TRIBUNAL SERVICE
LEASEHOLD VALUATION TRIBUNAL for the
LONDON RENT ASSESSMENT PANEL
COMMONHOLD AND LEASEHOLD REFORM ACT 2002 SECTION 94(3)**

LON/00AZ/LUS/2007/0001

Premises: 39 Whitbread Road, London SE4 3BD

Applicant: Laurel RTM Company Limited

Represented by: Ms J. Samuels of Samuels & Co, Solicitors

Respondent: Longmint Limited, formerly Morgan & Hartland Limited

Represented by: Ms E. Thompson of Juliet Bellis & Co, Solicitors

Also present: **For the Applicant:** Mr M Gittings and Ms D Brown (flat 1); Mr A.R. Guzman (flat 2); and Ms H.A. Johnstone and Mr R. Kinnear (flat 3)

For the Respondent: Mr J.S. Latta and Mr R. Don for the managing agents RMG, formerly Haywards

Tribunal: Mr N. GERALD

Mr HUCKLE

Date of decision: Wednesday 14th January 2009

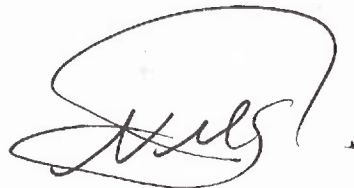
Introduction

1. This is an Application for for determination of the amount of any accrued uncommitted service charges consequent upon its right to manage the subject Premises on 8th October 2007 pursuant to section 94(3) of the Commonhold and Leasehold Reform Act 2002 ("the Act").
2. On 23rd June 2008, Morgan Hartland Limited transferred the freehold reversion to the subject premises to its parent company Longmint Limited. Ms Thompson told the Tribunal that Juliet Bellis is company secretary of both companies and confirmed that (a) her firm is instructed to represent Longmint Limited (b) Longmint Limited consents to being substituted for Morgan & Hartland Limited and (c) will pay any sums ordered to be paid to the Applicant.
3. During the course of the hearing, the Respondent produced relevant bank statements and their balances at the material dates which after due consideration led the Applicant and Respondent to agree and consent to an declaration that the accrued uncommitted service charge as at 8th October 2007 was £510.86 to which £25 interest has accrued so that the

total of £535.86 as of today's date is due and payable by the Respondent to the Applicant.

Decision

4. By consent, it is ordered that Longmint Limited be substituted for Morgan Hartland Limited as Respondent to this Application.
5. By consent, it is determined that that amount of the accrued uncommitted service charge as at 8th October 2007 was £510.86 to which agreed interest of £25 should be added so that £535.86 falls to be paid by the Respondent to the Applicant.
6. The Applicant sought an order for £500 costs to be paid on the account of the Respondent's unreasonable conduct of this Application pursuant to paragraph 10 of Schedule 12 to the 2002 Act, which the Respondent did not resist.
7. The Respondent is ordered to pay the Applicant £500 costs pursuant to the said provisions. For the avoidance of doubt, the principal grounds of such application are that the Respondent failed to disclose the key bank statements until around 1400 hours on 14th January 2009 when they should have been disclosed at the outset of this Application if not before. Had that happened, this hearing would have been avoided.

A handwritten signature in black ink, appearing to be 'S. H. S.', written in a cursive style.