



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

Case reference : **BG/LON/OOA/OAF/16/0011**

Property : **164 Duke Road, London W4 2DF**

Applicants : **Neil David Hamilton and Victoria
Clemancy Emma Collett**

Representative : **Pemberton Greenish LLP**

Respondent : **Alexander Fraser, Joseph Quick,
Joseph Quick the Younger and
George Reckitt (or their
successors)**

Representative : **Not applicable (missing landlord)**

Type of application : **Application under section 27 of the
Leasehold Reform Act 1967**

Tribunal members : **Mr Ian B Holdsworth MSc FRICS**

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

**Date of paper
determination** : **23.5.16**

DECISION

Decisions of the Tribunal

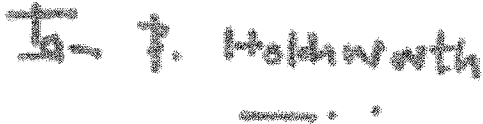
- (1) The Tribunal determines that the price to be paid by the applicants for the freehold interest is a peppercorn.
- (2) The terms of the draft transfer are provided for in paragraph 11 below.

The Background

1. This is an application under section 27 of the Leasehold Reform Act 1967 ("the 1967 Act") and pursuant to an order made by District Judge Bloom, sitting at the County Court at Willesden on 26^h February 2016.
2. Section 27 of the 1967 Act concerns claims for enfranchisement where the relevant landlord cannot be found. It enables the court to make a vesting order in respect of any interests of the landlord which are liable to acquisition.
3. Under section 27 of the 1967 Act, the role of the Tribunal is to determine the appropriate sum to be paid into court in respect of the landlord's interests and also to approve the form and terms of the proposed transfer.
4. The applicants in this matter are Neil D Hamilton and Victoria C Collett. They are the qualifying tenants of the house, namely, 164 Duke Road London W4 2DF ("the Property"). The respondent freehold owners are Alexander Fraser, Joseph Quick, Joseph Quick the Younger and George Reckitt (or all their successors)
5. On 26th February 2016, the applicant issued a Part 8 Claim at the County Court at Central London for an order pursuant to section 27 of the 1967 Act vesting the freehold interest in the Property in the applicants. The applicants have been unable to ascertain the whereabouts of the respondents and were therefore unable to serve a notice on them pursuant to the provisions of the 1967 Act.
6. The applicants have provided the Tribunal with a valuation report prepared by Mr Simon B Hanton FRICS dated 29th April 2016.
7. Mr Hanton is of the view that the premium to be paid for the freehold interest is a peppercorn.
8. The Tribunal accepts Mr Hanton's evidence in this respect.

The Determination

9. The Tribunal accepts the opinions expressed by Mr Hanton in his valuation report dated 28nd April 2016.
10. Accordingly, the Tribunal determines that the premium to be paid in respect of the enfranchisement of 164 Duke Road London W4 2DF is a peppercorn.
11. The Tribunal also approves the draft transfer which has been submitted by the applicant, subject to the inclusion in box 8 that the consideration (the premium of a peppercorn) has been paid into court.
12. This matter should now be returned to the County Court sitting at Willesden County Court under Claim Number COOWL 161 in order for the final procedures to take place.



Ian B Holdsworth Valuer Chairman

23rd May 2016