



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

Case Reference : LON/00AH/LAM/2017/0013

Property : Liberty Point, Blackhorse
Apartments, 335 Lower
Addiscombe Road, Croydon, surrey
CR0 6RF

Applicant : London and Quadrant Housing
Trust

Representative : Mr. Evans

Respondent : (1) Riaz Dattoo (2) Nazma Dattoo (3)
Abbas Dattoo (4) Habib Dattoo (5)
Black Horse Inn Management
Limited

Representative : Brady Solicitors

Type of Application : Appointment of a Manager

Tribunal Members : Judge Tagliavini
Mr Cartwright JP

**Date and venue of
hearing** : 10 Alfred Place, London WC1E 7LR

Date of Decision : 20 July 2017

DECISION

- I. The tribunal determines that it is appropriate to make the Management Order sought by the Applicant, in the terms attached hereto as Appendix A for the property known as Liberty Point, Blackhorse Apartment, 335 Lower Addiscombe Road, Croydon, Surrey CRO 6RF for a period of five years with effect from the date of this decision.

Background

1. The Applicant makes an application pursuant to section 24(1) of the Landlord and Tenant Act 1987 seeking the appointment of a manager. The subject property comprises a purpose-built block of 23 residential units over two commercial units on the ground floor and a car park let under a lease dated 18 October 2005 made between (1) Milford Group Limited (2) Black Horse Management Limited and (3) Tower Homes Limited. The Applicant is the holder of the principal leasehold interest under this lease. The first four Respondents are the Freehold owners of the subject property and the fifth Respondent is a freeholder owned management company.

The Applicant's and the Respondent's case

2. In a Statement of Case dated 10 April 2017 the Applicant set out the grounds for making the application. The applicant asserted that there had been a breakdown in the relationship between the parties following a long history of litigation. This had culminated in a Tomlin Order dated 1 March 2017 in which, the Respondents agreed not to oppose the application to the tribunal for the appointment of a manager.

The hearing

- 3 A hearing was held at which, the tribunal heard oral evidence from Ms Samantha Short of Rendall and Rittner Limited, Property Managing Agents as to her experience and suitability for the appointment of manager and were also provided with a letter dated 25 May 2017 which set out Ms Short's qualifications for the role.
4. After the conclusion of the hearing the Applicant, at the invitation of the tribunal submitted a revised draft Management Order for its approval.

The tribunal's decision and reasons

5. In the absence of any opposition to this application for the appointment of a manager, and having regard to the evidence provided by the Applicant, the tribunal is satisfied that the conditions specified in section 24 of the Landlord and Tenant Act 1987 are met. Therefore, the tribunal determines that it is just and convenient to appointment a Manager. In making the order, the tribunal has considered whether it is also necessary to include the commercial premises within the scope of this order and the period for which the Management Order should continue. The tribunal is satisfied that it is appropriate to include the commercial premises within this Order and that it should continue for a period of five years in order to allow the Manager a

proper opportunity to instigate a proper system of management, repair and maintenance necessary.

6. In conclusion, the tribunal makes a Management Order in the terms of the Management Order and Schedule attached, for a period of five years from the date of this decision.

Signed: Judge Tagliavini

Dated 20 July 2017