



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

<b>Case reference</b>	<b>:</b>	<b>LON/00AZ/LVM/2015/0022</b>
<b>Property</b>	<b>:</b>	<b>113-117 Kirkdale, London SE26 4QJ</b>
<b>Applicant</b>	<b>:</b>	<b>Mr Andrew McKeer MRICS (tribunal-appointed manager)</b>
<b>Respondents</b>	<b>:</b>	<b>(1) Mr Nasim Azam (former leaseholder of flat 3); (2) Mr Mark Tejada of HML Andertons Limited (former tribunal-appointed manager); (3) Mr Uthayakanthan (freeholder); (4) The current leaseholders of 113-117 Kirkdale.</b>
<b>Type of application</b>	<b>:</b>	<b>Application by a tribunal-appointed manager for directions</b>
<b>Tribunal members</b>	<b>:</b>	<b>Judge Timothy Powell Mrs H C Bowers MRICS</b>
<b>Date and venue of hearing</b>	<b>:</b>	<b>29 October 2019 at 10 Alfred Place, London WC1E 7LR</b>
<b>Date of this Interim Decision</b>	<b>:</b>	<b>29 October 2019</b>

---

**SUPPLEMENTAL DECISION**  
*discharging the temporary manager*

---

1. The background to this case is set out in the tribunal's Interim Decision dated 9 August 2019.
2. In its Final Decision of 27 August 2019, the tribunal appointed Mr Ashley Rolfe as temporary manager of 113-117 Kirkdale, London SE26 4QJ ("the Building") for a period of 3 months from 1 September 2019, to expire at midnight on 30 November 2019, or as may be determined upon further order of this tribunal. The appointment of Mr Rolfe was to be on the same terms and conditions as the existing order. A further hearing was arranged for today, 29 October 2019, for Mr Rolfe to attend and to be

interviewed as to his suitability for longer-term, permanent appointment as a tribunal-appointed manager.

3. The tribunal has now been notified by Mr Rolfe and AJ Angelo solicitors that leaseholders have agreed with the freeholder that the future management of the Building will be dealt with by Ashmark Estate Management, so that no tribunal-appointed manager will be needed. The effective date of Ashmark's appointment will be 1 November 2019.
4. Mr Rolfe and AJ Angelo solicitors indicated that they would not be attending the hearing today, to save time and resources; and no other party appeared before the tribunal.
5. Accordingly, the tribunal orders that the temporary appointment of Mr Rolfe as tribunal manager shall be discharged with effect from midnight on Thursday, 31 October 2019, so that management of the Building shall revert to the freeholder, Mr Uthayakanthan, from Friday, 1 November 2019, and the parties can put in place the arrangements they have agreed.

**Name:** Timothy Powell

**Date:** 29 October 2019

### **Rights of appeal**

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).