



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

Case Reference : **MAN/00CL/OAF/2020/0018**

Property : **17 Bywell Road, Sunderland, SR6 7QT**

Applicant : **Dr Lai Hong Wong**

Respondents : **N/a**

Type of Application : **A determination of amount of the appropriate sum to be paid into Court under the section 27(5) of the Leasehold Reform Act 1967**

Tribunal Members : **Tribunal Judge Professor Caroline Hunter
Tribunal Member Richard Harris**

Date and venue of Hearing : **Determined without a hearing on 11 December, 2020**

Date of Decision : **14 December, 2020**

Date of Determination : **15 December, 2020**

DECISION

Order

That the purchase price for the freehold interest of 17 Bywell Road, Sunderland, SR6 7QT be determined at £73,500.

That the Applicant shall pay the purchase price into Court pursuant to s27(5) of the Leasehold Reform Act 1967.

The Application

1. The Applicant, Dr Wong, issued an application on the 27 January 2020 for an order under s21(1) of the Leasehold Reform Act 1967 (“the Act”) for a determination as to the amount of the appropriate sum to be paid into Court under s27(5) of the Act for transfer of the Freehold of the Property, the Landlord being missing.
2. An order was made by District Judge Phillips in the County Court at Newcastle on the 14 April 2020 that the rights and obligations of the parties be determined as if the claimant had, at the date of the application, duly given notice of her desire to have the freeholder under section 27 of the Act.
3. The Tribunal is therefore asked by the Applicant to determine the single issue of the price payable for the transfer of the freehold interest pursuant to s.21 of the Act.
4. Directions were made on 2 October 2020 for the Applicant to provide two copies of any evidence (including valuations, photographs and plans) she wished the Tribunal to consider, along with a draft transfer.
5. The Application was listed to be determined on the papers alone and without an inspection of the Property.

The Evidence

6. The evidence provided by the Dr Wong included:
 - a. The Lease
 - b. The Judgement of the Court
 - c. The Register of Title
 - d. The Completion statement for the purchase of the property, indicating that the purchase price was £295,000.00
 - e. The ground demands and statements for 2011 – 2016.
7. The Lease is for 999 years from 13 June 1947. The ground rent is £5.25 per year. The Dr Wong’s statement states that ground rent demands stopped being sent from 2016. She has paid all the ground rent from 2011 to 2016.
8. The photograph of 17 Bywell Road shows it to be a semi-detached house.

The Determination

9. Dr Wong has not provided any valuation evidence. However, given the evidence of the lease and the ground rent, the Tribunal is in a position to assess the purchase price as follows:

Lease

999 years from 13th May 1947 at £5.25 p.a. payable half yearly on the 13th May and 23rd November. The lessee to pay all outgoings and to insure.

Valuation

Years Purchase in perpetuity @ 10 % on £5.25	£52.50
Reversion in 926 years to Market Value --- Nil	£ 0.00

Arrears

13th May 2017	£ 5.25
13th May 2018	£ 5.25
13th May 2019	£ 5.25
13th May 2020	£ 5.25

Total Enfranchisement price payable	£73.50
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