



**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY) AT 10
ALFRED PLACE, WC1E 7LR**

Case references : **LON/00AM/LAM/2021/0009**

HMCTS code : **V: CVPREMOTE**

Property : **Flats 1-9 Haberdashers Place, Pitfield
Street, London N1 6BS**

Applicant : **Philip Feldman & Others**

Representative : **Mr Bruce Maunder Taylor MRICS, MAE**

Respondent : **Dow Properties Limited**

Representative : **Mr Adil Villachi of Rossides Caine
Solicitors**

Type of application : **Appointment of manager**

Tribunal members : **Judge Tagliavini
Mrs A Flynn MA MRICS**

Date of hearing. : **21 October 2021**

Date of decision : **21 October 2021**

DECISION AND ORDER APPOINTING A MANAGER

Covid-19 pandemic: description of hearing

This has been a remote paper hearing which has been consented to by the parties. The form of remote hearing was V: VIDEOREMOTE. A face-to-face hearing was not held because it was not practicable, and all issues could be determined in a remote hearing. The documents that the tribunal was referred are contained in the electronic bundle numbered 1-463.

The tribunal's summary decision

- 1. The tribunal appoints Mr Mark Jones as the manager of the subject premises known as Flats 1-9 Haberdasher Place, Pitfield Street, London N1 6BS with effect from 1 November 2021 until 31 October 2023 on confirmation that the Professional Indemnity Insurance of Stock Page Stock has been renewed and covers Mr Jones' activities as a tribunal appointed Manager and Receiver.**
 - 2. In default of the above condition being met, the Management Order will not take effect.**
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The application

1. This an application under the provisions of section 24 of the Landlord and Tenant Act 1987 seeking the tribunal's appointment of Mr Mark Jones of Senior Surveyor at Stock Page Stock as the Manager of the subject premises.
2. In the application the premises were identified as Flats 1-9 and Shops 63-79 & 79A together with Garages at Rear. However, before the hearing held on 21 October 2021, the parties made and jointly signed a Statement of Agreed Facts dated 19/10/21, in which the premises to be subject to any Order are primarily the residential parts i.e., Flats 1-9 Haberdasher Place, London N1 6BS and does not include the commercial units, except in limited circumstances concerning the recovery of expenditure.
3. Notwithstanding the parties' agreement to the appointment of Mr Mark Jones, the tribunal were provided with a written Management Proposal dated 27 August 2021, the 8-page Draft Management Order with H.M. Land Registry plan attached, and the opportunity to hear directly from him at the hearing of the application, in order to satisfy itself he was a fit and proper person to be appointed.

The tribunal's decision and reasons

4. The tribunal considers upon receipt of written confirmation on or before 31 October 2021, that the Professional Indemnity Insurance Policy of £2m for Stock Page Stock has been renewed, and covers the activities of Mr Mark Jones as a tribunal appointed manager, it is appropriate to appoint Mr Mark Jones as Manager with effect from 1 November 2021 for a period of two years i.e. until 31 October 2023 under the terms of the Draft Management Order included in the hearing bundle (pp.196 to 205), subject to this Draft Management Order being amended at paragraph 1 so that it reads the appointment is for a period of two years (not five years as originally specified).
5. In reaching its decision the tribunal was persuaded by the documentary and oral evidence as well as the parties' agreement, that it is appropriate to make the Order sought on the condition set being met, with each party paying its own costs. In default of the above condition being met, the Order appointing Mr Mark Jones as Manager will not take effect.

Name: Judge Tagliavini

Date: 21 October 2021

Rights of appeal from the decision of the tribunal

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).