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LVT/63

Leasehold Valuation Tribunal
Of The
North Western Rent Assessment Committee

Decision of the Tribunal on application under Section 21 (1)(ba) of the Leasehold Reform Act 1967 for the determination of the reasonable costs payable under Section 9 (4) of the Act and schedule 22 part 1(5) of the Housing Act 1980.

NAME OF APPLICANT: Mr K Barton

RESPONDENT: Fairhold (Huddersfield) Ltd

FOR THE RESPONDENT: Estates and Management Ltd

PROPERTY: 13 Treen Road, Tyldesley, Greater Manchester

PUT BEFORE THE TRIBUNAL ON: 23 February 2001

DEALT WITH: None of the parties attended the scheduled hearing, Mr Barton made written representations received on 19 January 2001


**MEMBERS OF THE TRIBUNAL: Mr C H Davies FRICS (Chair)
Mr J W Shaw JP FRICS**

DATE OF TRIBUNALS DECISION: 23 February 2001

13 TREEN ROAD, TYLDESLEY, GREATER MANCHESTER

Application for determination of Landlords Costs
Section 21(1)(ba) Leasehold Reform Act 1967

1. This is a reference by Mr K J Barton the leaseholder and prospective purchaser of the freehold of 13 Treen Road following a determination of a Leasehold Valuation Tribunal of the price to be paid for such freehold dated 27 October 2000.
2. By letter, Mr Barton stated that the freeholders agents, Estate Management Ltd, had asked for in his opinion, an inflated amount viz £500 to include surveyors fees and Land Registration charges, he offered to pay £200 which he thought reasonable in the context of a then total consideration package of £478.
3. No correspondence or evidence was received from the freeholders agents generally or specifically in response to the Tribunals request for further information as to any proof of surveyors fees, or the amount of legal costs incurred in respect of the transfer of other single plots within the Registered Title.
4. The Tribunal was left to resolve the costs, without anything other than copy correspondence from freeholder to leaseholder quoting a rounded and probably inflated figure, and the leaseholders non professionally advised offer. There was no evidence that the freeholder had incurred surveyors/valuers costs in dealing with the original application. It was evident that the freeholders were dealing with a familiar and Registered Title.
5. The Tribunal is of the view that the cost pertinent to a transfer of a single plot within a Registered Title well known to the office/practitioner involved would be small. No costs are proven in respect of valuation fees. Land Registration fees would be £40. In these circumstances the Tribunal fixes costs in this matter at £150 to include all fees and incidental payments together with VAT if and as appropriate.



Colin Davies FRICS
Chair of the Leasehold Valuation Tribunal.
20th Floor
Sunley Tower
Piccadilly Plaza
Manchester, M1 4BE

- 7 MAR 2001