

472

LEASEHOLD VALUATION TRIBUNAL  
OF THE  
MIDLAND RENT ASSESSMENT PANEL

Ref: BIR/OOCN/OC9/2004/0023

DECISION OF THE LEASEHOLD VALUATION TRIBUNAL  
ON AN APPLICATION UNDER SECTION 21(1) OF THE LEASEHOLD REFORM ACT 1967

**Applicant:** Dr A.L. Wong-Shaw (leaseholder)

**Respondents:** The Trustees of The Calthorpe Estate (freeholders)

**Subject property:** 74 High Point  
Richmond Hill Road  
Edgbaston  
Birmingham  
B17 8SD

**Application to the LVT:** 5 April 2004

**Hearing:** 4 June 2004

**Appearances:**

*For the applicant:* No appearance

*For the respondents:* No appearance

**Members of the LVT:** Mr A P Bell MA LLB  
Mr I D Humphries BSc (Est. Man) FRICS  
Mr D Underhill

**Date of determination:** 22 JUN 2004

## Introduction

- 1 This is a decision on an application under section 21(1) of the Leasehold Reform Act 1967 ("the 1967 Act") made to the Leasehold Valuation Tribunal by Dr A.L. Wong-Shaw, the leaseholder of the house and premises at 12 Cockthorpe Close Harborne Birmingham B17 8SD ("the subject property"), on 5 April 2004 for the determination of the reasonable costs payable under section 9(4) of the 1967 Act.

## Hearing

- 2 Neither the applicant leaseholder nor the respondent freeholders attended nor were they represented.

## Determination of the Tribunal

- 3 The Tribunal considered the written representations of Dr A.L. Wong-Shaw. In the absence of any breakdown of the figures submitted on behalf of the respondent freeholders and in the absence of evidence of actual work undertaken and actual costs incurred in the present case, the Tribunal determines, in accordance with section 9(4) of the 1967 Act and the recent practice of Leasehold Valuation Tribunals in the Midland Rent Assessment Panel region, that the respondent freeholders are limited to the recovery of legal costs of £320.00 (plus VAT if applicable) and in addition £16.00 in reimbursement of the fee for the office copy entries and surveyors' costs of £300.00 (plus VAT if applicable) under section 9(4) of the 1967 Act.

.....  
APC  
A P Bell

Chairman

Dated 22 JUN 2004