

**RESIDENTIAL PROPERTY TRIBUNAL SERVICE**

**SOUTHERN RENT ASSESSMENT PANEL**

**LEASEHOLD VALUATION TRIBUNAL**

Case No: CHI/21UC/LIS/2008/0009

Re: Flat 6C Kent House, Staveley Road, Eastbourne, East Sussex, BN20 7JU

Applicant: Kent House Management Limited (the Landlord)

Respondent: Ms P. Elleston (the Tenant)

**Application under section 27A of the Landlord and Tenant Act 1985 to determine liability to pay service charges**

Tribunal: Mr D. R. Hebblethwaite BA (Chairman); Mr B. H. R. Simms FRICS MCI Arb

**DECISION**

1. On 19 February 2008 the Landlord applied to the Tribunal for a determination as to the liability of the Tenant to pay service charges for the years 2006 and 2007. On 7 March 2008 Directions were made to the effect that the Tribunal would deal with the application on the basis of written representations and without a formal Hearing. No objection was received from either party to this. Further, it was directed that the Landlord should send to the Tenant and the Tribunal its Statement of Case and supporting statements etc. and that if the Tenant wished to contest the application she should send a statement and supporting documents to the Landlord and the Tribunal. The Landlord duly served its Statement of Case in accordance with the Directions. The Tenant has not served anything in response and is, therefore, deemed not to oppose the application. Nevertheless it still falls to the Tribunal to be satisfied as to the reasonableness of the service charges proposed.
2. It should be noted that after the Tribunal sent a copy of the application to all the tenants at Kent House Mrs E. Woodman of Flat 10 wrote to the Tribunal stating that she wished to be added as an applicant. She was technically listed as a respondent, but she made no further representations and the Tribunal simply inferred that she supported the application.
3. In the Applicant's Statement of Case dated 10 April 2008, which was copied to the Tenant there is set out information about Kent House, which it is not proposed to repeat in this Decision. A copy of the lease is appended and the relevant clauses are recited in the Statement. Also appended are official copy register entries of the title and copy accounts for the years ended 25 March 2006 and 25 March 2007, as well as correspondence to the tenants regarding roof renewal/repairs.
4. On 6 May 2008 the Tribunal met in Eastbourne to consider the application. The members started by an external inspection of Kent House. It was found in a smart neighbourhood just back from the sea front to the west of the town, but not far from the town centre with all its amenities. Kent House stands within its own grounds with ample off-street parking. The roof tiling could be clearly seen, with the left hand side, looking from the road, appearing newly

