

**RESIDENTIAL PROPERTY TRIBUNAL SERVICE**

Southern Rent Assessment Panel

And

Leasehold Valuation Tribunal

Case number                      CHI/OOMW/LCP/2009/0010

Applicants                        Ennersdale Investments Limited

Respondents                      Cooke Avenue Maisonettes RTM Co Ltd

Date of Application               8th October 2009

Hearing date                      Monday 25th January 2010

Date of Decision

**Decision of the Tribunal:**

The Tribunal considered this matter on the papers alone. The Tribunal dismissed the application and made no order as to costs.

**Summary:**

1. This was an application brought under the Commonhold and Leasehold Reform Act 2002 [CLRA 2002] section 88 for a determination as to the amount of statutory costs payable to the landlord.
2. The application is dated 8th October 2009.
3. Directions were given by the Tribunal on 12th October 2009. These provided as follows;

The Applicants shall provide the Tribunal and Respondents, by 11th November 2009 a written statement indicating how the costs and fees in dispute are calculated, together with copies of any relevant supporting documents to include:-

Any relevant client care letters

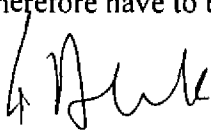
With regard to the time spent, hourly rates charged etc copies of work in progress print outs or other records to record time spent

Relevant professional guidelines and

Receipts/vouchers for payments made

The Respondents shall by 27th November 2009 provide the Tribunal and the Applicants with a written statement setting out their Points of Dispute.

4. On 26th November 2009 the Respondents wrote saying that directions had not been complied with by the Applicants and asking how the amount claimed was made up.
5. On 27th November 2009 further directions were given extending the time for compliance with directions by the Applicants to the 14th December 2009 and the time for representations to be filed from the Respondents was extended to 8th January 2010.
6. No further communications have been received by the Applicants save a costs schedule was received by fax on the 25th January 2010, the day of the hearing.
7. The Tribunal has been unable to determine the Application in view of the fact that the Applicants have failed to supply documentation in support of their claim and in breach of directions made on 12th October 2009 and 27th November 2009.
8. In these circumstances the Tribunal had no evidence before it on which to properly determine the Application. The Tribunal therefore dismissed the Application and made no order in relation to the costs of the solicitor. These will therefore have to be borne by the Applicants themselves.



T A CLARK  
Chairman

15.2.10