

5343



Residential  
Property  
TRIBUNAL SERVICE

**RESIDENTIAL PROPERTY TRIBUNAL SERVICE  
DECISION BY LEASEHOLD VALUATION TRIBUNAL for the  
LONDON RENT ASSESSMENT PANEL**

LANDLORD AND TENANT ACT 1985 Section 27A(1)

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Ref :LON/00BE/LSC/2010/0406

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**Address:** Flat 6, Wickfield House, Wilson Grove, London SE16 4PP

**Applicant:** London Borough of Southwark

**Respondent:** Mr M.A.R Santana

**Date of paper determination:** 22 September 2010

**Tribunal:** Mrs S O'Sullivan  
Mr S Mason FRICS  
Mr D Wills

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**Background**

1. This matter was transferred to the Tribunal by order of the Lambeth County Court in claim number OUA 10216 made on 10 June 2010.
2. Directions were issued by the Tribunal on 27 July 2010. These provided for the parties to exchange statements of case and for the matter to be dealt with by way of a paper determination unless a hearing was requested by the parties. In accordance with those directions a statement of case was served by the Applicant and a bundle prepared for the Tribunal's determination. The Respondent did not serve any statement of case.

3. The application was considered by the Tribunal on paper on 22 September 2010.
4. The claim was in the sum of £1,068.10, which was made up of service charges and ground rent (in the sum of £10) in the sum of £1,033.16 and an interest claim of £34.94.
5. In his Defence the Respondent indicated that he admitted the sum of £583. He indicated that he disputed the sum of £450 on the basis that he had paid this sum, which is accepted by the Applicant in its statement of case. The sum admitted of £583 and the sum disputed (due to payment since having been made) of £450 total the amount claimed of £1,033. The service charges claimed in the proceedings are therefore not in issue.
6. The only issue outstanding between the parties as claimed in the proceedings is the claim for interest in the sum of £34.94.
7. The claim for interest is made pursuant to section 69 of the County Courts Act 1984. The claim for interest does not fall within the Tribunal's jurisdiction and is a matter for the County Court.
8. Accordingly no other matters being in dispute between the parties, save for the claim for interest, the Tribunal does not have the jurisdiction to consider the proceedings. The claim for interest should be remitted back to the County Court.

Chairman: Sonya O'Sullivan  
Dated: 22 September 2010

