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**LEASEHOLD VALUATION TRIBUNAL for the  
LONDON RENT ASSESSMENT PANEL**

**Landlord and Tenant Act 1985 – Section 27A**

**LON/00AC/LSC/2012/0009**

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<b>Property</b>	<b>40 Dairyman Close London, NW2 1EP</b>
<b>Applicant</b>	<b>Somerton Gardens Cricklewood Limited (Landlord)</b>
<b>Represented by</b>	<b>Derrick Bridges &amp; Co, Solicitors</b>
<b>Respondents (tenants)</b>	<b>Atose Aguele &amp; Ayona Aguela-Trimell</b>
<b>Represented by</b>	<b>Not represented</b>
<b>Date of Application:</b>	<b>22 December 2011</b>
<b>Date of Determination</b>	<b>10 May 2012</b>
<b>Date of Decision</b>	<b>10 May 2012</b>
<b>Tribunal</b>	<b>Mr Ian Mohabir LLB (Hons) Mr Trevor Sennett MA FCIEH</b>

## **Decision**

1. The decision of the Tribunal is that: the estimated service charges of £1020 and £1060 for the charge years 2009-10 and 2010-11 and the insurance premiums of £310.12 and £109 for the respective years are reasonably incurred and reasonable in amount and payable by the Respondents within 30 days of service of this Decision.

## **Background**

2. The Applicant is the landlord of a block of 90 flats known as Dairyman Close Cricklewood, London. The subject property is a second floor flat owned by the Respondents and known as number 40 Dairyman Close. The lease on the Property is dated 20 October 1998 and made between (1) Fairview New homesd (Cricklewood) Ltd (2) Somerton Gardens Cricklewood Ltd and (3) Atose Aguele and Ayona Aguele. The lease is for a term of 99 years from 25 December 1997.

3. The lease contains the usual provisions for payment by the Tenant of the service charges and insurance to the Applicant.

4. Directions were issued on the 25 January 2012. Pursuant to those Directions the Applicant filed its evidence in support of the application. This was served by the Applicant's solicitor upon the Respondent by email at their address in South Africa. No evidence has been filed by the Respondents.

## ***The Relevant Law***

5. The Tribunal's determination is made under section 27A of the Act. In making a determination under this section, the Tribunal must apply the statutory test of reasonableness under section 19 of the Act. In short, the Tribunal must be satisfied that the service charges claimed have been reasonably incurred and are reasonable in amount.

being frivolous, vexatious or otherwise an abuse of process. In any event the Applicant had made no specific submissions in support of this application for costs.

  
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Ian Mohabir LLB

Chairman

10 May 2012