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Residential
Property
TRIBUNAL SERVICE

LONDON RENT ASSESSMENT PANEL

**DECISION OF THE LEASEHOLD VALUATION TRIBUNAL ON JURISDICTION IN
AN APPLICATION UNDER SECTIONS 26 AND 27 OF THE LEASEHOLD
REFORM HOUSING AND URBAN DEVELOPMENT ACT (Missing Landlord)
(Supplementary Decision on terms of transfer)**

Case Reference: LON/00AZ/OCE/2012/0247

Property: 44A and 44B Elmer Road, London SE6 2ER

Applicants Mr D. Savage (44A) and Ms L. Annansingh (44B)
(Leaseholders)

Represented by: Cook Taylor Woodhouse, Solicitors

Respondent: Mr D. J. Donovan and Mr J.H. Hassell (Landlords)

Represented by: No Appearance

Tribunal: Mr L. W. G. Robson LLB (Hons)
Mrs E. Flint DMS FRICS IRRV

Determination Date: 22nd January 2013

Date of Main Decision: 22nd January 2013

Supplementary Decision: 12th February 2013

Decisions of the Tribunal

1. The Draft Transfer submitted by the Applicants and attached hereto is approved with the amendments shown below.
2. Panel 8, Box 1: - "The Transferee has paid into Court the sum of Twelve Thousand Nine Hundred and Fifty One Pounds (£12,951.00), being the sum found due to the Transferor by the Leasehold Valuation Tribunal".
3. Panel 9, Box 1: - delete X, and in Box 2 insert "X, to clarify that the Transferor transfers with limited guarantee.
4. Panel 11; - insert: "This transfer is made pursuant to a Vesting Order of the Bromley County Court dated 16th November 2012 under Section 26 of the Leasehold Reform, Housing and Urban Development Act 1993 as the landlords (the Transferor) or other the persons in whom the Property is on the date hereof vested could not be found".
5. Panel 12, - Delete all and insert: "Signed as a Deed by a duly designated Court Officer on behalf of John Henry Hassell and David John Donovan"..
6. This Decision shall be attached as an addendum to the Main Decision dated 22nd January 2013.

The Transfer has been approved at the request of the Applicant.

(Signed) Lancelot Robson
Mr L. W. G. Robson LLB (Hons)
Chairman

Dated: 12th February 2013

Draft Transfer:
See Attached

Land Registry
Transfer of whole of registered title(s)

TR1

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

Leave blank if not yet registered.

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Give full name(s).

Complete as appropriate where the transferor is a company.

Give full name(s).

Complete as appropriate where the transferee is a company. Also, for an overseas company, unless an arrangement with Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 183 of the Land Registration Rules 2003.

Each transferee may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an electronic address.

1	Title number(s) of the property: SGL219301
2	Property: 44 Elmer Road London SE6 2ER
3	Date:
4	Transferor: John Henry Hassell and David John Donovan <u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix: <u>For overseas companies</u> (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix:
5	Transferee for entry in the register: David Savage and Laura Petula Annansingh <u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix: <u>For overseas companies</u> (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix:
6	Transferee's intended address(es) for service for entry in the register: 44A Elmer Road London SE6 2ER
7	The transferor transfers the property to the transferee

Place 'X' in the appropriate box. State the currency unit if other than sterling. If none of the boxes apply, insert an appropriate memorandum in panel 11.

Place 'X' in any box that applies.

Add any modifications.

Where the transferee is more than one person, place 'X' in the appropriate box.

Complete as necessary.

The registrar will enter a Form A restriction in the register *unless*:

- an 'X' is placed:
 - in the first box, or
 - in the third box and the details of the trust or of the trust instrument show that the transferees are to hold the property on trust for themselves alone as joint tenants, or
- it is clear from completion of a form JO lodged with this application that the transferees are to hold the property on trust for themselves alone as joint tenants.

Please refer to Land Registry's Public Guide 18 – *Joint property ownership* and Practice Guide 24 – *Private trusts of land* for further guidance. These guides are available on our website www.landregistry.gov.uk

Insert here any required or permitted statement, certificate or application and any agreed covenants, declarations and so on.

8 Consideration

- The transferor has received from the transferee for the property the following sum (in words and figures): Twelve Thousand Nine Hundred and Fifty One Pounds (£12,951.00)
- The transfer is not for money or anything that has a monetary value
- Insert other receipt as appropriate:

9 The transferor transfers with

- full title guarantee
- limited title guarantee

10 Declaration of trust. The transferee is more than one person and

- they are to hold the property on trust for themselves as joint tenants
- they are to hold the property on trust for themselves as tenants in common in equal shares
- they are to hold the property on trust:

11 Additional provisions

The transferor must execute this transfer as a deed using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (such as for a restriction), it must also be executed by the transferee.

If there is more than one transferee and panel 10 has been completed, each transferee may also execute this transfer to comply with the requirements in section 53(1)(b) of the Law of Property Act 1925 relating to the declaration of a trust of land. Please refer to Land Registry's Public Guide 18 – *Joint property ownership* and Practice Guide 24 – *Private trusts of land* for further guidance.

12 Execution

Signed as a Deed by the said
JOHN HENRY HASSELL

In the presence of:
Witness:

Name:

Address:

Occupation

Signed as a Deed by the said
DAVID JOHN DONOVAN

In the presence of:
Witness:

Name:

Address:

Occupation

WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.