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**FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case Reference : LON/OOAH/OCE/2014/0045

Property : 28 Woodstock Road, Croydon, Surrey,
CR0 1JS

Applicants : Mrs Kay Papadopoulos, Miss Fiona
Anderson, Mr Huw Griffiths and Ms
Frederique LaPorte

Representative : None

Respondent : Mr Brian John Dawkin and Mr Robert
Wickendon (missing landlords)

Representative : None

Type of Application : Enfranchisement

Tribunal Members : Mr Robert Latham
Mr Philip Tobin FRICS MCI Arb

**Date and venue of
Hearing** : Paper Hearing determined on 08 April 2014 at
Alfred Place, London WC1E 7LR

Date of Decision : 8 April 2014

DECISION

- (1) The Tribunal determines that premiums to be paid into court in respect of purchase of the freehold 29 Woodstock Road, Croydon, Surrey, CR0 1JS is £7,217.
- (2) The Tribunal approves the draft proposed transfer in form TR1 which has been submitted by the Applicants, subject to the proviso in paragraph 9 below.

Background

1. On 24 January 2014, by order of District Judge Guinan, sitting at Croydon County Court, the Court ordered that, pursuant to Section 26(1) of the Leasehold Reform, Housing and Urban Development Act 1993 ("the Act") the freehold interest in 29 Woodstock Road, Croydon, Surrey, CR0 1JS ("the premises") registered at HMLR under Title No.SY39975 vest in the Applicants on such terms as may be determined by this Tribunal pursuant to Section 27(1)(b) of the Act. We are required to determine those terms.

Evidence

2. We have been provided with a valuation report by Jonathan Dean MA MRICS dated 20 February 2014. Woodstock Road is an area which is very well known to him. He has considered a number of comparables and we accept his evidence.

Lease details

3. The Respondent missing landlord is the lessor of the premises at 29 Woodstock Road:

(i) Flat 1 (Ground Floor) is leased by Ms Noreen Ibrahim. Mr Dean has not seen the lease, but the extract from the Land Registry title confirms that it is let on similar terms to the other flats. Ms Ibrahim is not a participating tenant.

(ii) Flat 2 (Ground Floor) is leased by Miss Fiona Anderson and Mr Huw Griffiths for a term of 125 years from 29 September 1986 at a rent of £50 pa. There are some 98 years outstanding. The lease is in our bundle.

(iii) Flat 3 (First Floor) is leased by Mrs Kay Papadopoulos on similar terms. Mr Dean has had sight of the lease which is in our bundle.

(iv) Flat 4 (First Floor) is leased by Ms Frederique LaPorte on similar terms. Mr Dean has also had sight of the lease which is in our bundle.

Valuation date

4. The valuation date is 16 September 2013, namely the date of the application to the Court (s.27 (1) (b)).

Valuation of the Hypothetical Long Lease

5. We accept the virtual freehold values of £115,000, £164,000, £150,000 and £134,000 for the four flats. Mr Dean has had regard to ten comparables, details of which have been downloaded from the internet. This valuation is made on the basis on a number of assumptions about the condition of the flats which are set out in [5.1] of Mr Dean's report.

Calculation of the Premium

6. We agree that the *Sportelli* deferment rate of 5% should be adopted.
7. We also agree with the calculation of the capitalised ground rent in respect of the four flats.
8. We confirm the premium of £7,217 as assessed by Mr Dean.
9. We approve the draft proposed transfer in form TR1 which has been submitted by the Applicants. We note that Section 6 of JO (Land Registry Trust Information) has not been completed. The second box should be ticked as there s a non-participating tenant.

Robert Latham

Tribunal Judge
8 April 2014