



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

Case Reference : **KM/LON/00BK/OC9/2015/0284**

Property : **3rd Floor Flat, 98 Wellesley Court,
Maida Vale, London W9 1 RL**

Applicant : **Seaglen Investments Limited**

Representative : **Wallace LLP**

Respondent : **Mr Mudrik Al Mahawi**

Representative : **RW Anderson & Co Solicitors**

Type of Application : **Costs**

Tribunal Members : **Judge Tagliavini
Mr R Shaw FRICS**

**Date and venue of
hearing (paper)** : **10 Alfred Place, London WC1E 7LR
18 August 2015**

Date of Decision : **18 August 2015**

DECISION

- (1) The tribunal determines that the sum of £1,572.00 plus VAT @ 20% of £314.40 is payable to the Applicant by the Respondent for legal fees together with Land Registry Fees of £45.00 and courier fees of £4.20(Inc. VAT).
- (2) The tribunal determines that the sum of £1,250.00 plus 20% VAT of £250.00 is payable by the Respondent by way of valuation fees.

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The application and hearing (paper)

1. The Applicant landlord seeks a determination pursuant to ss. 60 and 91 of Leasehold Reform Housing and Urban Development Act 1993 of the costs payable in respect of this application for a lease extension.
2. Although a Notice of Claim was served by the Respondent tenant on or about 27 August 2014 and a Counter Notice was served by the Applicant, the Respondent failed to make the appropriate application to the tribunal and accordingly the Notice of Claim was deemed to be withdrawn on 28 April 2015. Despite an invitation by the Applicant to the Respondent to agree to the payment of the costs incurred by the Applicant, no response was forthcoming. Accordingly the Applicant makes this application to the tribunal for its determination of the statutory costs payable by the Respondent.
3. Despite directions having been issued by the tribunal dated 22 June 2015, the Respondent has made no representations in respect of the costs sought by the Applicant. The Applicant has provided the tribunal with a comprehensive bundle including a detailed schedule of costs and supporting documentation.
4. Neither party requested an oral hearing and therefore the tribunal determined the matter on the consideration of the documents provided.

The tribunal's decision

5. The tribunal determines that the amount payable in respect of costs is a total sum of £3,435.60 (Inc. VAT) as detailed above.

Reasons for the tribunal's decision

6. In the absence of any evidence or submissions to the contrary, the tribunal accepts the explanation of the costs incurred as detailed in the Applicant's submissions dated 27 July 2015 and the accompanying exhibits.

7. The tribunal accepts that the costs claimed by the Applicant fall properly within the statutory ambit of the costs recoverable. Further, the tribunal having regard to its knowledge and experience, finds that the level of costs claimed is within the range of costs routinely considered reasonable.

8. Therefore, the tribunal determines the costs claimed by the Applicant in the total sum of £3,435.60 inclusive of VAT and made up of legal fees of £1,572.00 plus VAT and valuation fees of £1,250 plus VAT and minimal sundry costs are reasonable and payable by the Respondent.

Signed: Judge Tagliavini

Dated: 18 August 2015