

10871



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

Case Reference : **LON/00AY/LVM/2015/0006**

Property : **14 Abbeville Road, London SW4
9NJ**

Applicant : **Mr M Scriven**

Representative : **In person**

Respondent : **Mr C L Joseland and Ms S Lake**

Representative : **In person**

Type of Application : **Application in relation to the
discharge of an order appointing a
manager**

Tribunal Members : **Tribunal Judge Dutton**

**Date and venue of
Determination** : **23rd April at 2015 10 Alfred Place,
London WC1E 7LR**

Date of Decision : **23rd April 2015**

DECISION

DECISION

I order that the Management Order dated 27th November 2012 (the Order) is discharged under the provisions of section 24(9) of the Landlord and Tenant Act 1987 (the Act) for the reasons set out below.

BACKGROUND

1. On 27th November 2012 the Tribunal in case numbered LON/OOAY/LAM/2012/0022 appointed Mr Marcos Scriven the leaseholder of flat 14A to be the Tribunal appointed manager. The decision sets out the background leading to his appointment which I do not need to repeat.
2. In the application made to the Tribunal on 26th March 2015 Mr Scriven sought a discharge of the Order because there had been new freeholder, the Respondents in this case saying *"Since their purchase the new Landlords, Mr C Joseland and Ms S Lake, have been actively cooperating with the management of the property, eg organising and contributing to the repairs to the property, etc. Accordingly, I believe there is no longer a need for me to remain manager and request that the Management Order is discharged. The new landlords are also in agreement with taking on management of the property in the normal way"*
3. By a letter dated 8th April 2015 the Respondents wrote confirming that they agreed to the discharge of the Order. They told the Tribunal that plans were in hand to split the freehold with the Applicant and that they had a management plan for the future upkeep of the property.

FINDINGS

4. I have considered the provisions of s24 (9A) of the Act and that I should not make an order discharging the Order under s24(9) unless I am satisfied that (a) the discharge will not result in a recurrence of the circumstances which led to the order being made and (b) that it is just and convenient in all the circumstances to discharge the Order.
5. I have considered the application, the basis upon which the Order was originally made and the consent of the new freeholders. In the circumstances I agree that the Order should be discharged and I so Order.

Tribunal Judge
Andrew Dutton

23rd April 2015