



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

Case Reference : **MAN/00BN/LSC/2013/0011
MAN/00BN/LDC/2015/0028**

Property : **No. 1 Deansgate, Manchester M3 1AZ**

Applicant : **No. 1 Deansgate (Residential) Limited**

Respondent : **Various Leaseholders**

Type of Application : **Landlord and Tenant Act 1985 – s 27A
Landlord and Tenant Act 1985 – s 20ZA**

Tribunal Member : **Judge L. Bennett
Mr I. James**

Date of Directions : **27 November 2015**

ORDER

Upon hearing counsel for the Applicant and upon there being no attendance from any Respondent

IT IS ORDERED THAT

1. Nicholas Edwards, Pauline Edwards, A. Fretwell, Paul Abbott and Siobhan Wilson are removed as Respondents pursuant to Rule 10 of the Tribunal Procedure (First-tier Tribunal)(Property Chamber) Rules 2013 and Section 27A (4)(a) of the Landlord and Tenant Act 1985 following their agreement with the Applicant.
2. In respect of the remaining Respondents it is determined that the sums demanded from them as set out in the attached schedule are payable as demanded. Moreover, the sums have all now been paid and nothing further is due for the period of this application.
3. Paragraph 2 above is subject to Paragraph 4, below, and is not a final determination until Paragraph 4 is completed and the Section 20ZA application is finally determined.
4. **(a)** The Tribunal will forthwith issue the application under Section 20ZA of the Landlord and Tenant Act 1985. If an application fee is payable then the Applicant must pay it forthwith and in any event within 28 days.
(b) The Tribunal will send the Application to the nine remaining respondents and will invite them to make any written response within 14 days.
(c) If no response is received, the Tribunal shall determine the application on the basis of the existing written material.
(d) If a response is received, the applicant may make a written reply within a further 14 days.
(e) Assuming that there has been a reply from one or more Respondents, the application will be determined on the papers unless any party objects.

2008

Tenant:	Mr & Mrs Edwards	Tariq Mehmood.	Mrs & Mrs Newman	Mr Fretwell	Mr Wall & Miss Stewart	Mr Brown	Mr Ashton	Mr Sardar	Mr Abbott	Ms Wilson	Mr Qureshi	Mr Judge & Mr Ali	Mr Richard & Mr Bannister
Apartment:	103	104	207	208	406	408	502	503	701	703	803	805	807
Residential													
Cleaning	£641.85	£336.20	£342.32	£641.85	£841.85	£666.30	£745.76	£641.85	£745.76	£641.85	£641.85	£641.85	£1,222.56
Window Cleaning	£485.82	£254.48	£258.11	£485.82	£485.82	£504.33	£564.48	£485.82	£564.48	£485.82	£485.82	£485.82	£925.38
M & E Repairs and Maintenance	£773.87	£405.36	£412.73	£773.87	£773.87	£803.35	£899.17	£773.87	£899.17	£773.87	£773.87	£773.87	£1,474.04
Lifts & Escalators	£195.25	£102.28	£104.13	£195.25	£195.25	£202.69	£226.87	£195.25	£226.87	£195.25	£195.25	£195.25	£371.91
Health & Safety	£48.98	£25.66	£26.12	£48.98	£48.98	£50.85	£56.91	£48.98	£56.91	£48.98	£48.98	£48.98	£93.30
Internal Repairs and Maintenance	£186.39	£97.63	£99.41	£186.39	£186.39	£193.49	£216.57	£186.39	£216.57	£186.39	£186.39	£186.39	£355.03
Landscaping	£33.73	£17.67	£17.99	£33.73	£33.73	£35.01	£39.19	£33.73	£39.19	£33.73	£33.73	£33.73	£64.24
Security	£1,680.46	£880.24	£896.24	£1,680.46	£1,680.46	£1,744.48	£1,952.53	£1,680.46	£1,952.53	£1,680.46	£1,680.46	£1,680.46	£3,200.87
Telephone	£37.04	£19.40	£19.75	£37.04	£37.04	£38.45	£43.04	£37.04	£43.04	£37.04	£37.04	£37.04	£70.55
Water	£155.20	£81.29	£82.77	£155.20	£155.20	£161.11	£180.33	£155.20	£180.33	£155.20	£155.20	£155.20	£295.61
Electricity	£827.13	£433.26	£441.13	£827.13	£827.13	£858.64	£961.04	£827.13	£961.04	£827.13	£827.13	£827.13	£1,575.48
Office Costs	£34.23	£17.93	£18.26	£34.23	£34.23	£35.53	£39.77	£34.23	£39.77	£34.23	£34.23	£34.23	£65.20
Insurance Claim	-£2.63	-£1.38	-£1.40	-£2.63	-£2.63	-£2.73	-£3.05	-£2.63	-£3.05	-£2.63	-£2.63	-£2.63	-£5.00
Audit Fee	£17.63	£9.24	£9.40	£17.63	£17.63	£18.30	£20.49	£17.63	£20.49	£17.63	£17.63	£17.63	£33.59
Supervision of services fees	£593.08	£310.66	£316.31	£593.08	£593.08	£615.67	£689.10	£593.08	£689.10	£593.08	£593.08	£593.08	£1,129.67
Commercial													
Cleaning	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Lifts & Escalators	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Electricity	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Insurance	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Audit Fee	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Supervision of services fees	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Structural													
Health & Safety	£11.19	£5.88	£5.88	£11.19	£11.19	£11.65	£13.04	£11.31	£13.04	£11.31	£11.19	£11.19	£21.34
Fire Equipment	£5.89	£3.10	£3.10	£5.89	£5.89	£6.14	£6.87	£5.95	£6.87	£5.95	£5.89	£5.89	£11.24
Insurance	£52.08	£27.38	£27.38	£52.08	£52.08	£54.22	£60.67	£52.61	£60.67	£52.61	£52.08	£52.08	£99.32
Audit Fee	£0.24	£0.12	£0.12	£0.24	£0.24	£0.25	£0.28	£0.24	£0.28	£0.24	£0.24	£0.24	£0.45
Supervision of services fees	£7.95	£4.18	£4.18	£7.95	£7.95	£8.28	£9.26	£8.03	£9.26	£8.03	£7.95	£7.95	£15.16

2009

Residential													
Cleaning	£517.37	£271.00	£275.93	£517.37	£517.37	£537.08	£601.13	£517.37	£601.13	£517.37	£517.37	£517.37	£985.47
Window Cleaning	£638.43	£334.41	£340.49	£638.43	£638.43	£662.75	£741.79	£638.43	£741.79	£638.43	£638.43	£638.43	£1,216.05
M & E Repairs and Maintenance	£965.98	£505.99	£515.19	£965.98	£965.98	£1,002.78	£1,122.38	£965.98	£1,122.38	£965.98	£965.98	£965.98	£1,839.97
Lifts	£186.08	£97.47	£99.24	£186.08	£186.08	£193.17	£216.21	£186.08	£216.21	£186.08	£186.08	£186.08	£354.44
Health & Safety	-£0.62	-£0.32	-£0.33	-£0.62	-£0.62	-£0.64	-£0.72	-£0.62	-£0.72	-£0.62	-£0.62	-£0.62	-£1.17
Internal Repairs & Maintenance	-£2.54	-£1.33	-£1.36	-£2.54	-£2.54	-£2.64	-£2.96	-£2.54	-£2.96	-£2.54	-£2.54	-£2.54	-£4.85
Pest Control	£3.52	£1.85	£1.88	£3.52	£3.52	£3.66	£4.09	£3.52	£4.09	£3.52	£3.52	£3.52	£6.71
Internal plant displays	£25.86	£13.55	£13.79	£25.86	£25.86	£26.85	£30.05	£25.86	£30.05	£25.86	£25.86	£25.86	£49.27
Security	£1,476.47	£773.39	£787.45	£1,476.47	£1,476.47	£1,532.72	£1,715.52	£1,476.47	£1,715.52	£1,476.47	£1,476.47	£1,476.47	£2,812.32

Accounting Fees	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Internal Cleaning	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Internal Repairs and Maintenance	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential & Commercial														
Management Fees	7.71	4.05	4.05	7.71	7.71	8.03	8.98	7.79	8.98	7.79	7.71	7.71	14.7	
Accounting Fees	0.32	0.16	0.16	0.32	0.32	0.33	0.37	0.32	0.37	0.32	0.32	0.32	0.61	0.61
Professional Fees	-0.75	-0.4	-0.4	-0.75	-0.75	-0.79	-0.88	-0.76	-0.88	-0.76	-0.75	-0.75	-1.44	
Health, Safety & Environmental	36.55	19.21	19.21	36.55	36.55	38.05	42.58	36.92	42.58	36.92	36.55	36.55	69.71	
Electricity	12.73	6.7	6.7	12.73	12.73	13.25	14.83	12.86	14.83	12.86	12.73	12.73	24.28	
Insurance	17.77	9.34	9.34	17.77	17.77	18.5	20.7	17.95	20.7	17.95	17.77	17.77	33.89	
Insurance Claim (Resi)														
Management Fees	6.38	3.34	3.4	6.38	6.38	6.62	7.41	6.38	7.41	6.38	6.38	6.38	12.14	
Accounting fees	0.26	0.13	0.13	0.26	0.26	0.27	0.3	0.26	0.3	0.26	0.26	0.26	0.49	
General Repairs and Maintenance	54	28.28	28.8	54	54	56.06	62.74	54	62.74	54	54	54	102.85	



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Tribunal Member : **Judge L. Bennett
Mr I. James**

Date of Directions : **15th January 2016**

DECISION

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BACKGROUND

A hearing of the substantive Application took place on 27 November 2015.

Directions were made for consideration of the S20ZA application.

None of the Respondents have provided a response

ORDER

Taking into account the evidence provided by the Applicants the Tribunal concludes it appropriate to grant dispensation from the consultation requirements imposed by S20ZA of the Landlord and Tenants Act 1985 in respect of any item of expenditure within the service charge years for which the Tribunal determined sums payable as set out in the schedule appended to order dated 27th November 2015.