



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

Case Reference : LON/00AY/LVM/2017/0010

Property : Denmark Mansions and 78-96
(even nos.) Coldharbour Lane,
London SE5 9PX

Applicant : Mr. Mark Tejada (tribunal
appointed manager)

Representative : In person

Respondent : (1) Maryland Estates Limited
(freeholder)
(2) The residential leaseholders
of Denmark Mansions
(3) The commercial leaseholders
of 78-96 (even nos.)
Coldharbour Lane

Representative : N/A

Type of Application : To extend and vary an order for the
appointment of a manager

Tribunal Member : Judge LM Tagliavini
Mr. P S Roberts DipArch, RIBA

**Date and place of
hearing** : 10 Alfred Place, London WC1E 7LR
15 November 2017

Date of decision : 19 November 2017

DECISION

The tribunal's decision:

1. The tribunal determines that the existing Order dated 26 September 2012 (varied by the Interim Order dated 18 September 2017) be further varied as follows:

Paragraph 1: Is varied only in so far as to provide for the replacement of Mr. Mark Tejada of HML Andertons Limited by Mr. David Broome also of HML Andertons Limited, 94 Park Lane, Croydon, Surrey CR0 1JB, as the First-tier Tribunal appointed Manager and Receiver of the subject property with effect from 1 December 2017.

The Order of 26 September 2017 is to continue for a five year period ending on 25 September 2022.

The HML Pricing Matrix attached to the Order of 26 September 2012 is varied as follows:

Management fee: Flats

£275 (plus VAT) per unit per annum

Commercial

£250 (plus VAT) per unit per annum

Both the flats and commercial units management fees are subject to a revision upwards from the beginning of the new financial year each year in line with the Retail Price Index.

[For the avoidance of doubt the remainder of the HML Pricing Matrix remains in force].

Background

2. The Applicant seeks the tribunal's extension and variation of an order dated 26 September 2012 ("the Order") appointing a Manager and Receiver ("the Manager") for the subject premises comprising 14 flats and 6 commercial units. The Applicant seeks the appointment of a named replacement together with a change to the fees charged for the appointed Manager's services. The Applicant also seeks an extension of the Order for a further five years to 2022.

The evidence

3. The application to extend and vary the order made on 26 September 2012 was unopposed by the Respondents, a small number of whom actively supported this application. The tribunal heard oral evidence from both Mr. Tejada and Mr. David Broome as to the reasons for the

application and the suitability of Mr. Broome as his successor, in addition to a Management Report dated 1 September 2017 from both Mr. Tejada and Mr. Broome. This report also contained the CV of Mr. Broome, the current budget report, the service charge statement of account and a menu of additional charges.

The Tribunal's decision and reasons

4. In the absence of any opposition to the application and the proposed extension and variations, as well as the active support of a number of Respondents for this application, and having regard to the written and oral evidence of Mr. Tejada and Mr. Broome and their Management Report, the tribunal is satisfied it is reasonable and appropriate for the Order of 26 September 2017 (as extended by the Interim Order of 18 September 2017) to continue until 27 September 2022 with Mr. David Broome as the tribunal appointed Manager and subject to the revised fee structure as set out above.

Signed: Judge Tagliavini

Dated: 19 November 2017