



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

Case Reference : LON/00/00AW/LRM/2017/003

Property : 101 Ledbury Road, London W11
2AQ

Applicant : 101 Ledbury Road RTM Company
Limited

Representative : Self

Respondent : Mr Ali m Yazdi-Nodouchani

Representative : Saracens Solicitors

Type of Application : Right to manage

Tribunal Members : Judge Hargreaves
Peter Roberts Dip.Arch R.I.B.A

**Date and venue of
Hearing** : 10 Alfred Place, London WC1E 7LR

Date of Decision : 16th March 2017

DECISION

1. The Tribunal determines that the Applicant was on the relevant date entitled to acquire the right to manage the premises pursuant to s84(5)(a) Commonhold and Leasehold Reform Act 2002 ("the Act").

2. In accordance with s90(4) of the Act, the Applicant will acquire the right to manage the premises within three months after this determination becomes final (as determined by s84(7)).
3. Pursuant to s88(3) the Respondent is not entitled to any costs of the Tribunal proceedings, because the application for the right to manage was not dismissed.

REASONS

1. The Tribunal has read the application and the Applicant's statement of case in support. The application is in order and valid.
2. The Respondent failed to file a statement of case in reply or explain his case in any respect, despite having indicated that he would resist the application, having served a counter-notice.
3. On 24th February 2017 the Respondent's solicitors wrote to the Applicant's then representatives explaining that he agreed that the Applicant is entitled to the right to manage, but seeking costs under s88(1). The letter indicated that an "agreement" would follow. No such agreement or s88(1) costs explanation has been provided.
4. Any s88(1) costs will be a matter for the parties in the future.

Judge Hargreaves

Peter Roberts Dip.Arch, R.I.B.A

16th March 2017