



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

Case Reference : **CHI/43UD/OLR/2019/0050**

Property : **15 Chaucer Court, Guildford
Surrey, GU2 4DB**

Applicant : **Mr and Mrs Hedges**

Representative : **Mike Stapleton & Co**

Respondent : **Brickfield Properties Ltd**

Representative : **Wallace LLP**

Type of Application : **s.60 Costs**

Tribunal Members : **Judge D Dovar**

Date of Decision : **19th September 2019**

DECISION

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1. This an application under s.60 of the Leasehold Reform Housing and Urban Development Act 1993 for the determination of the costs payable for the claim by the Applicants for a new lease of their flat.
2. Directions were given on 31st May 2019 which stated that the issue of s.60 costs would be dealt with without a hearing unless either party requested a hearing; neither has.
3. Section 60 permits a landlord to recover their reasonable costs of and incidental to their investigation of the tenant's right to a new lease, a valuation of the premium payable and the grant of a new lease. Although s.60 does not stretch to the cost of proceedings before this tribunal.
4. The Respondent has provided a bundle with the breakdown of their costs of claim, being £2,600.50 plus VAT for legal fees and £840 plus VAT for surveyor fees. They have confirmed in their submissions dated 13th August 2019 that these are costs in relation to the notice of claim and within the remit set out above.
5. The Applicant has not engaged in the issue of costs and has not filed any objection to the costs claimed.
6. The Tribunal considers that the costs are reasonable and fall within s.60 and allows them in full.

Judge D Dovar

Appeals

A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application to the First-tier Tribunal at the Regional office which has been dealing with the case.

The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.

If the person wishing to appeal does not comply with the 28-day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28-day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.

The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.