



**First-tier Tribunal  
Property Chamber  
(Residential Property)**

**A: BTMMREMOTE**

**Case reference** : **CAM/26UL/LSC/2019/0076**

**Property** : **5 Asquith House  
Guessens Road  
Welwyn Garden City  
Herts  
AL8 6QA.**

**Applicant** : **Doreen Steff**

**Representative** : **Richard Steff**

**Respondent** : **Catalyst Housing Ltd  
(formerly Aldwyck HA)**

**Representative** : **Miss Kleopa of Counsel**

**Date of Application** : **21 November 2019**

**Type of application** : **Application for the determination of  
the reasonableness and payability of  
service charges**

**The Tribunal** : **Tribunal Judge S Evans**

**Date/ place of hearing** : **28 April 2020, by telephone**

**Date of decision** : **15 May 2020**

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**DECISION**

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- (1) The estimated service charge costs of £285.96 per annum per leaseholder in respect of the Scheme Manager for 2019/2020 are costs which are reasonably incurred by the Respondent and in a reasonable sum;**
- (2) The Respondent landlord's costs in connection with these proceedings are not to be regarded as relevant costs to be taken into account in determining the amount of any**

**service charge payable, pursuant under section 20C of the Landlord and Tenant Act 1985;**

- (3) None of the Respondent's litigation costs of these proceedings shall be recoverable as an administration charge pursuant to paragraph 5A of schedule 11 to the Commonhold and Leasehold Reform Act 2002;**
- (4) No order is made for reimbursement of the application fee or hearing fee.**

## **REASONS**

### **Introduction**

1. The Tribunal is asked to determine the payability and reasonableness of costs incurred by way of service charges pursuant to an application made under s.27A of the Landlord and Tenant Act 1985.

### **The Hearing**

2. This was a remote hearing which was not objected to by the parties. The form of the remote hearing was A: audio (BT Meet Me fully remote). A face-to-face hearing was not held, because it was not practicable on account of the Coronavirus pandemic and all issues could be determined in a remote hearing. At the outset, I therefore directed that the hearing be held in private but recorded on BT MeetMe.
3. The documents before me were contained in a bundle of 261 pages, plus a supplemental bundle of 2 pages, together with Respondent counsel's skeleton argument, the contents of all of which I have read, and for which I am grateful.

### **The Parties**

4. The Applicant is the leaseholder of 5 Asquith House, Guessens Rd, Welwyn Garden City, Herts AL8 6QR. The Respondent, Catalyst Housing limited, was formerly known as Aldwyck Housing Association, but Aldwyck HA merged with the Respondent on 11<sup>th</sup> December 2019.
5. By a lease dated 13<sup>th</sup> June 1990 between (1) Jarvis Homes, (2) Aldwyck Housing and (3) Chetwin, the Property (which consists of a ground floor flat and basement bin store and parking space) was demised for a term of 125 years from the 29<sup>th</sup> September 1989. The leasehold title was registered on the 19<sup>th</sup> June 1991.