



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

Case Reference : **LON/00AS/OC9/2019/0220**

Property : **11A & 11B Marlborough Parade,
Uxbridge Road, Hillingdon UB10
oLR**

Applicants : **Vinodkumar Davdra & Aniladevei
Davdra**

Representative : **Anthony Gold**

Respondents : **Gurdev Ram Jassi**

Representative : **Bonningtons Solicitors**

Types of Application : **Section 60 costs**

Tribunal Members : **Judge Tagliavini
Mr. P Roberts Dip Arch, RIBA**

**Date and venue of
(paper) hearing** : **8 January 2020
10 Alfred Place, London WC1E 7LR**

Date of Decision : **9 January 2020**

DECISION

Decisions of the tribunal

- I The tribunal determines that the costs payable by the applicants to the respondent are £3763.20 (inclusive of VAT) and which includes the sum of £1500 for the surveyor's fees and 19.20 in disbursements.**
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The application

1. This is an application by the respondent landlord seeking the payment of costs under the provisions of the Leasehold Reform & Urban Development Act 1993 (the 1993 Act). The substantive application was made in respect of a lease extension of the two subject properties, which comprise two flats with one each on the first and second floors of a three storey mid terraced building with a commercial unit on the ground floor.

The respondent's evidence

2. In accordance with the tribunal's directions dated 24 October 2019 the respondent submitted a schedule of cost claiming legal costs of £6600 (inclusive of VAT); surveyors fees of £1,500 and disbursements in the sum of 19.20. The respondent provided the tribunal with an indexed and paginated bundle of documents for the hearing which included the supporting invoices for the legal fees claimed and a copy of the valuation report(s). The legal fees claimed were on the basis of work carried out by a Grade A solicitor at the hourly rate of £220.

The applicant's evidence

3. The applicants also submitted a schedule commenting upon the costs claimed by the respondent and in which it was asserted that legal costs in the sum of £1,779.00 (plus VAT) are payable together with the sums of £1,500 for the surveyor's fees and £19.20 in disbursements.
4. The applicants did not seek to dispute either the use of Grade A fee earner or the hourly rate charged. However, the time taken by the fee earner to take and carry out instructions in this unexceptional transaction were challenged as being excessive. Further, the applicants asserted that the fees charged for work on documents for the tribunal and listing questionnaires were not payable under the provisions of section 60 of the 1993 Act and therefore should be omitted.

The tribunal's decision and reasons

5. As neither party requested an oral hearing the tribunal determined this application on the documents provided by the parties. Having had

regard to the surveyor's report(s) dated 19 February 2019 the tribunal is of the view that this application to extend the leases of the subject properties, concerned two uncomplicated transactions. The tribunal recognises that each application would be required to be checked separately although it does consider that there would be some overlap between the two properties and transactions.

6. In the absence of any particular identified difficulty arising from this application for lease extensions, the tribunal considers that the time spent by the respondent's solicitor to be excessive in parts and non-chargeable in others under the provisions of the 1993 Act. Therefore, using the numbering system adopted by the respondent and expanded upon by the applicants in their schedule, the tribunal allows the following costs:

1.	£220
2.	£110
3. to 7.	£880
8.1	£220
8.2	£220
8.3	£0
8.4	£0
8.5	£220
Total:	£1870 plus VAT @ 20% (£374) = £2244 £2244
9.	£1500 (surveyor's fee)
10.	£19.20 (disbursements)

Grand total: £3763.20

7. Therefore, the tribunal finds that the total costs payable by the applicant to the respondent is £3,763.20.

Signed: Judge Tagliavini

Dated: 9 January 2020