



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

Case reference : **TR/LON/00AL/OLR/2022/0809**

Property : **12(a) Brookdene Road, London,
SE18 1EW**

Applicant : **Gurdev Singh Sumal**

Representative : **T G Baynes Solicitors**

Respondent : **Mr Zipora Steinberger**

Representative : **Not applicable (missing landlord)**

Type of application : **Application under sections 50 and
51 of the Leasehold Reform
Housing and Urban Development
Act 1993**

Tribunal member : **Ian B Holdsworth FRICS MCI Arb
RICS Registered Valuer**

Venue : **Remote**

**Date of paper
determination** : **14 December 2022**

DECISION

Decisions of the Tribunal

- (1) The tribunal determines that the price to be paid by the applicant for the new lease on statutory terms is **£25,663**.

The Background

1. This is an application under section 50 and 50(1) of the Leasehold Reform Housing and Urban Development Act 1993 (“**the 1993 Act**”) pursuant to an order made by Deputy District Judge Blake sitting at the County Court at Bromley on 7th October 2022.
2. Sections 50 and 50(1) of the 1993 Act concerns claims for a statutory lease extension where the relevant landlord cannot be found. It enables the court to make a vesting order in respect of any interests of the landlord which are liable to acquisition.
3. Under section 51 of the 1993 Act, the role of the tribunal is to determine the appropriate sum to be paid into court in respect of the landlord’s interests.
4. The applicant in this matter is Mr Gurdev Singh Sumal. He is the qualifying tenant of the ground floor flat referred to as 12(a) Brookdene Road, London, SE18 1EW (“**the Property**”). The respondent freehold owner is Mr Zipora Steinberger.
5. On 4th November 2021, the applicant issued a Part 8 Claim at the County Court at Bromley for an order pursuant to section 50(1) of the 1993 Act seeking a new lease in the Property. The applicant has been unable to ascertain the whereabouts of the respondents after a comprehensive search and enquiries. For this reason it is not reasonably practicable for the applicants to serve a notice pursuant to section 42 of the Act on the respondents.
6. The applicant subsequently applied for a vesting order under section 49(3) of the 1993 Act. The vesting order was granted subject to the determination of this tribunal.
7. The applicant has provided the tribunal with a valuation report prepared by Mr Mark Jones dated 24 November 2022.
8. Mr Jones is of the view that the premium to be paid for the statutory lease extension is **£25,663**.

The Determination

9. The tribunal carefully scrutinised the valuation submissions at pages P62-P96 of the bundle and accepts the opinions expressed by the applicants Expert, Mr Jones in his valuation report dated 24th November 2022.
10. Accordingly, the Tribunal determines that the premium to be paid in respect of the new lease is **£25,663** less the court assessed costs which are still to be determined. These monies to be paid into Court.
11. The Tribunal also approves the draft proposed New Lease included in the bundle at pages P124-162 subject to the inclusion at **LR 7** and paragraph 1.1 "**Premium**", that the premium is in the sum of **£25,663**.
12. This matter should now be returned to the County Court sitting at Bromley under **Claim Number Ho1BR411** in order for the final procedures to take place.

Valuer Chairman: Ian B Holdsworth

14th December 2022