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Application by a tenant for the appointment of a manager or for the variation or discharge of an order appointing a manager

Section 24 of the Landlord and Tenant Act 1987

It is important that you read the notes below carefully before you complete this form.

This is the correct form to use if you want to ask the Tribunal to appoint a manager under section 24 of the Landlord and Tenant Act 1987, or to discharge or vary an order that has already been made. This form also allows you to ask for a dispensation of the requirement to serve a notice under section 22 of the 1987 Act.

A fee is payable for this application (see section 15 for Help with Fees). Please note that fee changes were made on 25 July 2016 in respect of all applications made on or after that date. The new fees are set out in this form.

Please send your completed application form and fee (if applicable), together with the documents listed in section 15 of this form to the appropriate regional Tribunal. (See the Annex to this form for regional office addresses). **Please do not send any other documents.** If and when further evidence is needed, you will be asked to send it in separately.

If you have any questions about how to fill in this form, the fee payable, or the procedures the Tribunal will use, please call the appropriate regional office.

If you are completing this form by hand please use BLOCK CAPITAL LETTERS.

1. DETAILS OF APPLICANT(S) (if there are multiple applicants please continue on a separate sheet)

Name: Dr. Michael Anson and Ms Marie Garside

Address (including postcode):

Flat 36, Frogmal Court
Finchley Road
London NW3 5HW

Address for correspondence (if different from above):

Telephone:

Day:

Evening:

Mobile:

Email address:

Fax:

Representative name and address, and other contact details: Where details of a representative have been given, all correspondence and communications will be with them until the Tribunal is notified that they are no longer acting for you.

Name: Mr. Chris Elliott

Reference no. (if any) CSE/F00059/1

Address (including postcode):

Woolsey Morris & Kennedy Solicitors
100 Station Road
Sidcup, Kent DA15 7DT

Telephone:

Day:

020 8300 9321

Mobile:

Email address:

celliot@wmk-law.com

Fax:

020 8300 0443

Note: The Tribunal may copy the application form to other appropriate persons (e.g. other service charge paying leaseholders in the building or development). If you do not want your telephone/fax number or email address to be disclosed to other such persons please omit those details from Box 1 and attach them on a separate sheet.

Where details of a representative have been given, all correspondence and communications will be with them until the Tribunal is notified that they are no longer acting.

2. ADDRESS (including postcode) of SUBJECT PROPERTY (if not already given)

Frognal Estate
Finchley Road
London NW3

3. BRIEF DESCRIPTION OF BUILDING (e.g. purpose built block of flats)

This comprises of 1-12 Frognal Court, 14-45 Frognal Court, 1-6 Warwick House, 14-29 Frognal Court and commercial premises.

4. DETAILS OF RESPONDENT (S) the person against whom an applicant seeks determination from the tribunal – this will only be the landlord's managing agent if they are a party to the lease. If there are multiple respondents, please continue on a separate sheet.

Name: RFYC Limited and Another (see continuation sheet)

Capacity: Immediate landlord

Address (including postcode):

Flat 5, 20 Frithwood Avenue
Northwood
Middlesex HA6 3LX

Reference no. (if any)

Address for correspondence (if different from above):

Telephone:

Day:

Evening:

Mobile:

Email address:

Fax:

4. DETAILS OF RESPONDENT – CONTINUATION SHEET

Second Respondent:

Name: Frogna! Ground Rents Limited

Capacity: Immediate Landlord

Address: 68 Grafton Way
London
W1T 5DS

Note: This form asks you to provide the details of parties to the application. (For example the landlord and any management company which owes management obligations to you under your tenancy). Additionally, the Tribunal needs to know the names and addresses of other people who may be significantly affected by the application such as other lessees in the building. Please provide a list of the names and addresses of any such person(s). If this is not possible or is impractical, then a written statement should be provided with this application.

5. DETAILS OF LANDLORD (if not already given)

Name

See Above

Address (including postcode):

Reference no. (if any)

Telephone:

Day:

Evening:

Mobile:

Email address:

Fax:

6. DETAILS OF ANY RECOGNISED TENANTS' ASSOCIATION (if known)

Name of Secretary

Address (including postcode):

Telephone:

Day:

Evening:

Mobile:

Email address:

Fax:

7. ORDER SOUGHT

Applications where no manager yet appointed by a Court or a Leasehold Valuation Tribunal or the First-tier Tribunal

- Are you asking for the Tribunal to appoint a manager? Yes No
- If so, have you served a section 22 notice? Yes No
- If not, are you seeking a dispensation? (see Guidance Note) Yes No

Applications where a manager has previously been appointed by a Court or a Leasehold Valuation Tribunal or the First-tier Tribunal

What is the date of the order appointing a manager and when is the order due to expire? Appointment date: 30 August 2016
Expiry date: 29 August 2019

- Do you seek a variation of the order? Yes No
- Do you want the order to be discharged? Yes No

Please complete the section entitled 'GROUNDS FOR APPLICATION'

Please note

No application for the appointment of a manager may be made to the Tribunal unless a notice under section 22 of the 1987 Act has first been served. Service of such a notice may only be dispensed with by the Tribunal if it is satisfied that it would not be reasonably practicable to serve such a notice.

8. MANAGER TO BE APPOINTED

If you are making an application to appoint a manager or to vary an order appointing a manager by the substitution of a new manager, please give details of the person you wish to have appointed.

Name

Professional qualification (if any)

Address (including postcode):

Telephone:

Fax:

9. OTHER APPLICATIONS

Do you know of any other cases involving either: (a) related or similar issues about the management of this property; or (b) the same landlord or tenant or property as in this application? Yes No

If Yes, please give details

10. LIMITATION OF COSTS

Some leases allow a landlord to include costs they have incurred in connection with proceedings before a Tribunal (eg. costs of using a professional representative) as part of a service charge. If you want to apply to the Tribunal for those costs to be limited, you need to complete a separate application form – Leasehold 7 (no fee payable).

11. CAN WE DEAL WITH YOUR APPLICATION WITHOUT A HEARING?

If the Tribunal thinks it is appropriate, and all the parties and others notified of their right to attend a hearing consent, it is possible for your application to be dealt with entirely on the basis of written representations and documents and without the need for parties to attend and make oral representations. ('A paper determination').

Please let us know if you would be content with a paper determination if the Tribunal thinks it appropriate. Yes No

Note: Even if you have asked for a paper determination the Tribunal may decide that a hearing is necessary. Please complete the remainder of this form on the assumption that a hearing will be held. Where there is to be a hearing, a fee of £200 will become payable by you when you receive notice of the hearing date.

12. TRACK PREFERENCES

We need to decide whether to deal with the case on the Fast Track or the Standard Track (see Guidance Note for an explanation of what a track is). Please let us know which track you think appropriate for this case.

- Fast Track
 Standard Track

Is there any special reason for urgency in this case?

- Yes No

If Yes, please explain how urgent it is and why:

Note

The Tribunal will normally deal with a case in one of three ways: on paper (see section 11 above) or 'fast track', or 'standard track'. The fast track is designed for cases that need a hearing but are very simple and will not generate a great deal of paperwork or argument. A fast track case will usually be heard within 10 weeks of your application. You should indicate here if you think your case is very simple and can be easily dealt with. The standard track is designed for more complicated cases where there may be numerous issues to be decided or where for example, a lot of documentation is involved. A standard track case may involve the parties being invited to a Case Management Conference which is a meeting at which the steps that need to be taken to bring the case to a final hearing can be discussed.

13. AVAILABILITY

If there are any dates or days we must avoid during the next four months (either for your convenience or the convenience of any expert you may wish to call) please list them here.

Please list the dates on which you will NOT be available:

26 and 31 July and 19-27 August 2019

14. VENUE REQUIREMENTS

Please provide details of any special requirements you or anyone who will be coming with you may have (e.g. the use of a wheelchair and/or the presence of a translator):

None

Applications handled by the London regional office are usually heard in Alfred Place, which is fully wheelchair accessible. Elsewhere, hearings are held in local venues which are not all so accessible and the case officers will find it useful to know if you or anyone you want to come to the hearing with you has any special requirements of this kind.

15. CHECKLIST

Please check that you have completed this form fully. The Tribunal will not process your application until this has been done. Please ensure that the following are enclosed with your application:

- A copy of the section 22 notice (if any) is enclosed.
- A copy of the previous order appointing a manager (if applicable) is enclosed
- A list of the names and addresses of persons who might be significantly affected by this application is enclosed
- A crossed cheque or postal order for the application fee of £100 (if applicable) is enclosed. Please put your name and address on the back of any cheque you send.

DO NOT send cash under any circumstances. Cash payment will not be accepted.

Fees should be paid by a crossed cheque made payable to, or a postal order drawn in favour of, HM Courts and Tribunals Service.

Please note where there is to be a hearing, a fee of £200 will become payable by you when you receive notice of the hearing date.

Help with Fees

If you think you may be entitled to a reduced fee, the guide EX160A 'Apply for help with court, tribunal and probate fees' outlines how you can submit an application for Help with Fees.

You can submit your Help with Fees application online at www.gov.uk/help-with-court-fees or by completing the form EX160 'Apply for help with fees'. You can get a copy of the 'Apply for help with fees' form online at www.gov.uk/government/publications/apply-for-help-with-court-and-tribunal-fees or from your regional tribunal office.

If you have completed an online application for Help with Fees please enter the reference number you have been given here.

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If you have completed form EX160 "Apply for Help with Fees" it must be included with your application.

The 'Apply for help with fees' form will not be copied to other parties.

16. STATEMENT OF TRUTH

The statement of truth must be signed and dated.

I believe that the facts stated in this application are true.

Signed:

C.S. Elia

Dated:

24/7/2019.

GROUNDS FOR APPLICATION

Please use the space below to summarise the ground(s) of your application.

You will be given an opportunity later to give further details of your case and to supply the Tribunal with any documents that support it. At this stage you should give a clear outline of your case so that the Tribunal understands what your application is about. Please continue on a separate sheet if necessary.

Please select as appropriate:

This is an application for the appointment of a manager

and/or

Dispensation from the need to serve a notice under section 22

An application for the discharge of an order appointing a manager

An application for the variation of an order appointing a manager

Now complete the rest of this form:

The grounds for the application are as follows

See attached grounds

NORTHERN REGION

HM Courts & Tribunals Service

Telephone: 01612 379491

First-tier Tribunal (Property Chamber) Residential
Property, 1st Floor, Piccadilly Exchange, Piccadilly
Plaza, Manchester M1 4AH

Fax: 01264 785 128

This office covers the following Metropolitan districts: Barnsley, Bolton, Bradford, Bury, Calderdale, Doncaster, Gateshead, Kirklees, Knowsley, Leeds, Liverpool, Manchester, Newcastle-upon-Tyne, Oldham, Rochdale, Rotherham, St. Helens, Salford, Sefton, Sheffield, Stockport, Sunderland, Tameside, Trafford, Tyneside (North & South), Wakefield, Wigan and Wirral.

It also covers the following unitary authorities: Hartlepool, Middlesbrough, Redcar and Cleveland, Darlington, Halton, Blackburn with Darwen, Blackpool, Kingston-upon-Hull, East Riding of Yorkshire, Northeast Lincolnshire, North Lincolnshire, Stockton-on-Tees, Warrington and York.

It also covers the following Counties: Cumbria, East Cheshire, Durham, Lancashire, Lincolnshire, Northumberland, North Yorkshire and West Cheshire.

MIDLAND REGION

HM Courts & Tribunals Service

Telephone: 0121 600 7888

First-tier Tribunal (Property Chamber) Residential
Property, Centre City Tower, 5-7 Hill Street,
Birmingham, B5 4UU

Fax: 01264 785 122

This office covers the following Metropolitan districts: Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton.

It also covers the following unitary authorities: Derby, Leicester, Rutland, Nottingham, Herefordshire, Telford and Wrekin and Stoke-on-Trent.

It also covers the following Counties: Derbyshire, Leicestershire, Nottinghamshire, Shropshire, Staffordshire, Warwickshire and Worcestershire.

EASTERN REGION

HM Courts & Tribunals Service

Telephone: 01223 841 524

First-tier Tribunal (Property Chamber) Residential
Property, Cambridge County Court, 197 East Road
Cambridge, CB1 1BA

Fax: 01264 785 129

DX 97650 Cambridge 3

This office covers the following unitary authorities: Bracknell Forest, West Berkshire, Reading, Slough, Windsor and Maidenhead, Wokingham, Luton, Peterborough, Milton Keynes, Southend-on-Sea and Thurrock.

It also covers the following Counties: Bedfordshire, Berkshire, Buckinghamshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, Northamptonshire, Oxfordshire and Suffolk.

SOUTHERN REGION

HM Courts & Tribunals Service

Telephone: 01243 779 394

First-tier Tribunal (Property Chamber) Residential
Property, Havant Justice Centre, The Court House,
Elmleigh Road, Havant, Hants, PO9 2AL

Fax: 0870 7395 900

This office covers the following unitary authorities: Bath and Northeast Somerset, Bristol, North Somerset, South Gloucestershire, Bournemouth, Plymouth, Torbay, Poole, Swindon, Medway, Brighton and Hove, Portsmouth, Southampton and the Isle of Wight.

It also covers the following Counties: Cornwall and the Isles of Scilly, Devon, Dorset, East Sussex, Gloucestershire, Hampshire, Kent, Somerset, Surrey, West Sussex and Wiltshire.

LONDON REGION

HM Courts & Tribunals Service
First-tier Tribunal (Property Chamber) Residential
Property, 10 Alfred Place, London WC1E 7LR

Telephone: 020 7446 7700

Fax: 01264 785 060

DX 134205 Tottenham Court Road 2

This office covers all the London boroughs.

The Ministry of Justice and HM Courts and Tribunals Service processes personal information about you in the context of tribunal proceedings.

For details of the standards we follow when processing your data, please visit the following address <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

To receive a paper copy of this privacy notice, please call 0300 123 1024/ Textphone 18001 0300 123 1024.