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Residential
Property
TRIBUNAL SERVICE

DECISION OF THE LEASEHOLD VALUATION TRIBUNAL

REF: LON/00BA/LSC/2007/0300

11 MAINWARING COURT, ARMFIELD CRESCENT, SURREY CR4

LONDON BOROUGH OF MERTON

Applicant

MRS VALERIE HEDGES

Respondent

Date of hearing: 8 October 2007

Date of decision: 8 October 2007

Present: Mrs E Ashmead (Solicitor – L.B. Merton)
Mr T Berry (Leasehold Officer – L.B. Merton)

Tribunal: Mr M.A. Martynski - Solicitor
Mr M. Taylor FRICS
Mrs J. Clark JP

Summary of decision

1. The service charges claimed in Croydon County Court of £1,410.70 are reasonable and payable.

Background

2. This is an application transferred from the Croydon County Court by order of D.J. Mills dated 2 August 2007. The proceedings had been issued in the County Court on 9 May 2007 and were for service charges due for the three years ending 31 March 2005, 2006 and 2007.

3. The Respondent, from the papers before the Tribunal, appeared not to take any issue with the amount of the service charge claimed other than to repeatedly refer to responsibility for contributing towards payment by the Department of Work and Pensions ('DWP'). The only other comments as to the reasonableness and payability

of the service charge made by the Respondent was set out in her letter to the Tribunal dated 21 August 2007, where it was stated:-

"I am not denying all responsibility for the service charges but am stating that there is firstly dispute as to the level of them, so I may be being taken to court for an amount I do not owe....."

The Respondent did not expand upon this statement. The Respondent also appeared to rely on a newspaper cutting dated 28 June (year unclear) concerning complaints about refuse collection. The Respondent did not expand on this issue and in any event, as the Applicant pointed out, the newspaper cutting concerned a different estate to the one in which the Respondent resides.

4. The Tribunal questioned the Applicant in relation to each of the service charge statements. The Applicant helpfully referred the Tribunal to pages numbered 141 to 143 of the bundle and explained the procedure in calculating the service charge figures. The Applicant also confirmed that appropriate credits were made each year to the Respondent's account to reflect adjustments from the original estimated service charge to the actual service charge once the 'year end' audit had been completed.



Mark Martynski
Chairman
8 October 2007