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

Case Reference : LON/00AN/LVM/2013/0006

Property : 518 Fulham Palace Road, London
SW6 6JE

Applicant : Mrs Samira Salek-Ardakani, Mr L
Dowdell and Ms V Hounsell

Representative : Irvin Mitchell LLP for Mrs Samira
Salek-Ardakani

Respondent : Miss Mary-Anne Bowring of
Ringley Chartered Surveyors

Representative : Miss Bowring and Mr J Farar of
Ringleys

Type of Application : Application for a postponement

Tribunal Member : Judge O'Sullivan

**Date and venue of
hearing** : 10 Alfred Place, London WC1E 7LR

Date of Decision : 10 October 2013

DECISION

1. By email of 9 October 2013 the applicant applies for a postponement of the listed hearing on 14 October 2013. The respondent was asked to comment on the application for a postponement but failed to do so.
2. Late disclosure was made by the Respondent on 4 October 2013. The tribunal has confirmed that this should be included in the bundle. The postponement is requested as the Respondent now wishes to rely on additional disclosure which is to be served on 10 October 2013. The Applicants wish to have time to consider the further documentation. A seven day adjournment of the hearing is sought.

3. Pursuant to rule 6 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 and having regard to the overriding objective contained in rule 3, I refuse the application for each of the following reasons:
- (1) The extent of the further disclosure is not known. However it appears to be limited to the issue of whether Miss Hounsell supports or opposes the application. This appears to the tribunal to be a question of fact and it is understood that Miss Hounsell will be attending at the hearing to give evidence in this regard;
 - (2) It may be that the further disclosure is limited in nature and can be considered without the necessity for an adjournment. Mrs Salek-Ardakani is legally represented;
 - (3) A tribunal has been booked to hear this case and a postponement at this late stage would result in an unjustifiable waste of the tribunal's limited resources that deprives others of their proper entitlement.
4. Once the extent and nature of the further disclosure is known the applicants may renew the postponement application at the start of the listed hearing on **14 October 2013** and, if granted, the tribunal will issue further directions and re-list the hearing. However, if the tribunal declines to postpone the hearing, it will proceed on that date, as planned.
5. The Applicants have also asked that the tribunal does not allow the further disclosure to be taken into account at the hearing on 14 October 2013. The request is refused. The tribunal considers that these documents may be relevant to the application and should form part of the tribunal's consideration. However the Applicants may likewise renew this request at the commencement of the hearing on **14 October 2013**.

Name: S O'Sullivan

Date: 10 October 2013