

IN THE FIRST TIER TRIBUNAL (PROPERTY CHAMBER)

B E T W E E N:

VARIOUS LEASEHOLDERS AT OCTAVIA CLOSE AND RAWNSLEY AVENUE

Applicants

And

MERTON PRIORY HOMES

Respondent

*Draft* AGREEMENT

UPON the parties having agreed terms of settlement as set out in the attached schedule.

AND UPON the FTT therefore ceasing to have jurisdiction

IT IS ORDERED THAT

- 1) The respondent will reimburse the application fee and hearing fee of £300 to Mrs Val Watson within 28 days
- 2) An order is made under s.20C, Landlord and Tenant Act 1985 in respect of any and all legal costs incurred by the respondent in connection with this application
- 3) The application is dismissed

## SCHEDULE

### *Works and costs*

- 1) Each applicant will pay a total of £3,500 for the works which formed the subject of this dispute.
- 2) Any applicant whose flat had windows replaced will pay a further £3,200.
- 3) Corrected demands setting out these figures will be issued in September 2017. No payment need be made until any demand is made. Moreover, the sums in those demands may be paid by the applicants by regular payments over a five year period on an interest free basis.
- 4) The respondent envisages carrying out a detailed examination of the costs which it has already been charged by its contractors for these works. If, having carried out the same, it concludes that the total costs properly attributable to any flat were less than £3,500, it will reduce the charges to the applicants (whether by way of reduction or credit, as appropriate) in due course.

### *Matters arising from the works*

- 5) The respondent will ensure that the electrical works which formed part of this application are remedied and carried out to the standard originally specified and will not charge any costs of the same to the applicants.
- 6) The respondent will forthwith provide copies of the warranty for the roof works and the FENSA certificate for the windows to each applicant

### *Future relationship*

- 7) The respondent will, within 28 days, send a letter of apology to the applicants.
- 8) The respondent will, within 28 days, propose dates for a meeting between the Merton Tenants and Residents Association and the Regional Director of Housing and the Regional Head of Planned Maintenance to discuss how to develop a better relationship between leaseholders and the respondent
- 9) The respondent agrees to reimburse Mrs Val Watson and Mr Simon Edgell the sum of £1900 each in respect of their out of pocket expenses, printing costs, time spent on this case. The respondent will further pay £150 as a contribution towards the cost incurred by the applicants in commissioning expert evidence from their electrician and a further £320 in respect of the roof report.

I would like to accept the above agreement .

Signed..... Name..... Date.....