



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

Case Reference : **MAN/00BP/LDC/2020/0004**

Property : **Various Properties Across First Choice Homes Oldham Limited Portfolio**

Applicant : **First Choice Homes Oldham Limited**

Respondents : **Residential Leaseholders and Tenants**

Type of Application : **Landlord & Tenant Act 1985 – Section 20ZA**

Tribunal Member : **Deputy Regional Valuer Walsh**

Date of Directions : **28TH February 2020**

DIRECTIONS

DIRECTIONS

Parties

- (1) If any leaseholder or tenant or other person with a substantial interest in the matters raised in the application wishes to apply to be a participating Respondent to the application so that they can make representations and receive copies of communications and Orders, they must do so, in writing to the First-tier Tribunal (Property Chamber), Northern Residential Property, First-tier Tribunal 1st Floor, Piccadilly Exchange, 2 Piccadilly Plaza, Manchester M1 4AH, within 14 days of the date of these directions, after that date the Tribunal will then send to each party a complete list of all participating parties to enable them to serve documents as set out in the following directions.

Consultation

- (2) Forthwith, the Applicant will make available on its website a copy of the application and supporting documents. The application and supporting statement shall be regarded as the Applicant's case.
- (3) The Applicant will provide paper copies of the application and supporting documents to any respondent who requests a copy.

Statements of case

- (4) All participating Respondents may, within 14 days of acceptance as a participating Respondent, file with the Tribunal and serve on all other parties a short statement of reply to the application, identifying matters which are in dispute (if any) and setting out the facts relied upon to support their case. These documents will be regarded as the Respondents' case.
- (5) The Applicant may, within 7 days of receipt of any participating Respondent's statement, send to the participating Respondents, and 3 copies to the Tribunal, any further comments that it wishes to make in reply.

Inspection and Hearing

- (6) There will not be an inspection of the subject properties.
- (7) The Tribunal considers that the matter can be decided on the basis of written evidence without the need for an oral hearing. The determination will take place in March/April. If at any time before the Tribunal makes its decision a party requests an oral hearing or the Tribunal itself feels that an oral hearing is necessary, a date time and place for a hearing will be notified.

Fees and Costs

- (8) Any party who wants to apply for an order under Section 20C of the Landlord and Tenant Act 1985 that the landlord's costs of dealing with these proceedings shall not be included in a future service charge payable by a tenant or leaseholder Respondent or any other person or persons specified in the Section 20C application, should complete the appropriate application form available at www.gov.co.uk , at the same time as complying with 4 above.

General

- (9) Submissions sent under directions 4 & 5 should be provided in a file where possible, and must include numbered pages and a list of contents. These submissions must contain copies of every document relied upon.
- (10) Documents must be sent by post or by hand delivery only. Documents sent by fax or by email will not be accepted.
- (11) No documents, letters or emails may be sent to the Tribunal unless also sent to the other party(ies) to these proceedings. Confirmation that this has been done must be clearly marked on all correspondence.
- (12) A party may apply for another direction amending, suspending or setting aside these directions. Unless made orally during the course of a hearing, any such application must be made in writing and must state the reason for making it.

FAILURE TO COMPLY WITH THE TRIBUNAL'S DIRECTIONS MAY RESULT IN DETRIMENT TO A PARTY'S CASE. FOR EXAMPLE, IT MAY LEAD TO THE TRIBUNAL REFUSING TO HEAR LATE EVIDENCE; TO A PARTY'S CASE BEING STRUCK OUT; AND/OR TO AN ORDER FOR COSTS BEING MADE.