



Jefferson House - July 2002

The case against the £736,000 (US\$1.3 million) service charge demand

at Jefferson House, Basil Street, London



Jefferson House - Sept 2005

Home | Works & Surveyors | Leasehold Valuation Tribunal | Lawyers, Courts & LSO | Council & LGO | Police | MPs - Others | Business Model
My Witness Statement at 19 October 2003 | My Diary - Home | Advisors to Jefferson House

✉ Email this site to a contact



You are here > Home Page

WELCOME TO LEASEHOLD-OUTRAGE.COM

Last updated on 18 sep 06

My name is Noëlle Rawé (sometimes shown on documents as Ms Noëlle Klosterkötter-Dit-Rawé). I am the leaseholder of a flat in Basil Street, London, for which the freehold owners are given as Jefferson House Limited.

TO: The Editor

FROM: Ms Noëlle Rawé

PO Box [REDACTED]
[REDACTED]
United Kingdom

Email: [REDACTED]
[REDACTED]

London, xxx September 2006

Dear Madam / Sir

Having spent over 6,000 hours of my life in the last four years and the best part of my life savings fighting against a fraudulent service charge demand, I now find myself trapped in my leasehold flat (apartment), in London – with no avenue open to me for justice and redress - and no protection.

(Claims supported by overwhelming black on white evidence)

I am opting to contact you to bring to your attention my horrendous nightmare experience since 2002, hoping that you can somehow help me get justice and redress by... *'naming and shaming'* (?).

If not, as I consider some of the main events in my case, at the generic level, to be in the public interest, I hope that, with your kind assistance, by *'naming and shaming'*, my case will – at the very least - be a trigger for change, a 'wake-up call'. Nobody should have to go through the very traumatic, sheer utter hell I have been going through since 2002 – and continue to go through – every day. Not in the 21st century, in a country that calls itself civilised, and has signed up to the European Convention on Human Rights.

Since 2002, my numerous desperate pleas for help / justice / redress to various relevant parties to my case have been rejected (see http://www.leasehold-outrage.com/pg_other/document_library.php). My situation is so desperate that, in a last resort attempt to get justice and redress, I have opted to break my silence with the outside world by developing the above personal website www.leasehold-outrage.com. The home page to the site provides a comprehensive summary of my case. The site is supported by c. 800 evidential documents to which hyperlinks are provided whenever referred to.

The basis of my case is that when, in July 2002, I was presented with a £14,400 (US\$25,400) service charge demand as *"contribution towards major works"* from Martin Russell Jones, 'managing' agents for the block, I 'dared' to ask the question *"what are you going to spend it on?"* - as there was no detail on the composition of the costs.

The lack of detail, as well as previous events – principally a planning application to build a penthouse apartment - led me to conclude that this service charge demand was unjustified.

As can be seen from the banner to my website: I was right. In addition, three new flats have also been added. Hence, the game plan of the owners of the block (generic term: *landlord*), Steel Services, or more accurately Mr Ladsky et. al. and their aides was to make me (and the other leaseholders) pay for works for which we are not liable. Prior to the start of the works (in August / September 2004), they vehemently denied to me (and other leaseholders) - as well as to a tribunal and two courts - that this was the case.

In August 2002, Steel Services filed an application in the Leasehold Valuation Tribunal (LVT) (tribunal for service charge disputes – part of the English legal system) to determine the “*reasonableness*” of the global sum demanded of £736,000 (US\$1.3 million). (Based on my surveyor’s assessment) the tribunal determined that the service charge ought to be reduced by nearly 70% (incl. the contingency fund) i.e. down to £236,000 (US\$416,000) – reducing my share from £14,400 (US\$25,400) to £4,615 (US\$8,200).

“*Based on my surveyor’s assessment*” as, ‘conveniently’ for Steel Services, the tribunal failed to perform its remit by not including a summary of its determination on the global sum demanded (and, subsequently, twice refused to do so). This has resulted in a near impossibility to conclusively fight the fraudulent service charge demand (and has been instrumental in getting the majority of the other leaseholders in the block to pay the full amount demanded – which is of course, very wrong).

My ‘daring’ to pursue an answer to my question “*what are you going to spend my £14,400 on?*” - which I consider to be a perfectly legitimate question to ask has led me to go through – and to continue to go through to this day – the most unimaginable hell. (Events up to October 2003 are captured in my Witness Statement at http://www.leasehold-outrage.com/pg_home/at_19_oct.php)

When I finally admitted to myself that the system was against me, instead of being there to help me, in December 2003, I accepted Mr Ladsky et. al.’s ‘offer’ of £6,350 (US\$11,300) in settlement of my share of the major works (i.e. the original demand of £14,400). Although, legally, I did NOT even owe this sum, I did this in the hope of putting an end to this horrendous nightmare.

The court (Wandsworth County Court) endorsed the document sealing the agreement on 1 July 2004.

- Due to what can only be described as an act of vengeance for my challenging the service charge demand, three months later, in October 2004, I received an invoice from Martin Russell Jones, with a “*Brought forward balance*” of £14,500 (US\$25,600) - without any explanation. I did not respond.
- Another invoice followed three weeks later, this time with a “*Brought forward balance*” of £15,500 (US\$27,300) – likewise, no explanation. I also ignored it and consequently did NOT pay anything.
- In January 2006 i.e. 14 months later, I received another invoice, this time stating a “*Brought forward balance*” of £5,625 (US\$9,900). Yet again, no explanation provided. It has been followed in June 2006 with an invoice stating a “*Brought forward balance*” of £8,621 (US\$15,200). As with the prior invoices: no breakdown on the composition of the sum. I have, likewise, ignored both invoices.

As can be seen from the pattern of the sums demanded, Mr Ladsky et. al. and their aides are ‘trying their luck’ as to what they can get from me – as well as force me to incur more legal costs. What do they ‘deem’ the amount to be currently hanging over my head? I do not know. Is it £14,500(?), £15,500(?), £5,625(?), £8,621(?), or all four combined i.e. **£44,246 (US\$78,000)(?)** These demands are fraudulent.

What else is going to be dropped on me tomorrow, the day after tomorrow, and so forth? I have no idea. It clearly depends on what Mr Ladsky et. al. and their aides will dream up / consider will be ‘fun’ to send me.

The worst part is that the overwhelming evidence from my case demonstrates that:

- (1) there is absolutely nothing to stop them from filing a false claim against me in court every day of the week as, in the ‘Wild West’ environment of the English legal sector, comprising of courts and lawyers, the players evidently have ‘carte blanche’ to do exactly as they please - without fear of sanction;
- (2) I am totally and utterly on my own as there is **absolutely nothing anywhere to help me.**

The outcome to date is that, since 2002, fighting this fraudulent service charge demand has:

- Cost me the best part of my life savings (c. £75,000 (US\$130,000)) - predominantly on professional advisers (lawyers, surveyor).
- Cost me over 6,000 hours of my life (spare time and annual leave) (Based on a 35-hour working week, this is equivalent to over three years of my life) – totally ruining my life in the process.

- Time spent, among others, on writing in excess of 450 letters to more than 200 people – all the way up to the Prime Minister, Mr Tony Blair, including in between, Lord Falconer of Thoroton, Mr John Prescott, my then Member of Parliament, Mr Michael Portillo, the Parliamentary Ombudsman, etc.

This correspondence has included c.100 letters, in the context of **25 battles** attempting to get justice / redress from a tribunal, two courts, three lawyers, the managing agents and the accountant for the block (see http://www.leasehold-outrage.com/pg_other/document_library.php)

- Led me to suffer – and to continue to suffer - on-going harassment, bullying, intimidation, invasion of my privacy, as well as assault (one occasion) – hence, amounting to a breach of Article 8 of the European Convention on Human Rights – *Right to respect for private life* (as well as U.K.'s Acts e.g. Protection from Harassment Act 1997; Criminal Justice Act & Public Order Act 1994)
- Led me to suffer – and to continue to suffer - an unbelievable amount of anguish, torment and distress. Among the many parties that have contributed to this, they include the courts (West London County Court and Wandsworth County Court). Among others, they have:

Subsequent amendment: 'deaf'

Turned a blind eye and a ~~deaf~~ ear to an abuse of process of court by allowing the court action by Steel Services to be pursued while it pursued the same action concurrently in the Leasehold Valuation Tribunal – and the tribunal had very specifically told us, the leaseholders, to **NOT PAY** the service charge demanded until the tribunal had issued its determination.

WRONGLY informed me on three occasions (and continued to do so when challenged) that a court action concerned me. These relate to: (1) a notice of a Charging Order hearing; (2) a notice that I was the defendant in a trial; (3) telling me that a judgement had been entered against me.

In addition, West London County Court, made me miss a hearing at which the judge - in spite of knowing that agreement had been reached (confirmed by the Court Service following my cry for help to Lord Falconer, overall Head) – opted to have the action against me “stayed” i.e. open to further proceedings. (see Lord Falconer of Thoroton http://www.leasehold-outrage.com/pg_iso/falconer.php)

Another key party has been the Leasehold Valuation Tribunal whose actions have, among others, eventually forced me to employ a solicitor, barrister and surveyor (at the cost of £30,000) (US\$53,000) to finally have my voice heard in the tribunal, as well as get an assessment of its determination.

- Led me to be treated by the tribunal and the courts as though I was the criminal instead of – as proven by supporting evidence - being the victim of a scam (swindle) – as all correspondence from me proving my innocence and that the claims by Steel Services' aides were false – were ignored.

Hence, the courts and the tribunal have, among others, acted in breach of Article 6 of the European Convention of Human Rights – *Right to fair hearing*, and Article 13 – *Right to an effective remedy*

- Concurrently, led me to suffer libellous and defamatory statements made against me to a tribunal and two courts, as they had the effect of – falsely - portraying me as a dishonest individual, acting in breach of contractual and other legal obligations (see LVT http://www.leasehold-outrage.com/pg_lvt/index.php and courts http://www.leasehold-outrage.com/pg_iso/west_london.php)

What have I achieved as a result of going through this horrendous hell since 2002 that has brought me on the brink of committing suicide? NOTHING! In fact, my situation is now worse than ever:

- I have four (fraudulent) invoices amounting to £44,246 (US\$78,000) currently hanging over my head
- A judge has issued an order that the action against me be “stayed”
- By becoming a ‘lessee’ of Lavagna Enterprises in December 2005, Steel Services can no longer fulfil major undertakings in my lease (contract) – as it no longer has control of the last floor (See Notices by landlord – 10 February 2006 http://www.leasehold-outrage.com/pg_home/notices.php) (Aside from the fact that it would be morally very wrong to sell the flat given the profile of the owners of the block), no financial institution would lend under these circumstances.
- I have spent the best part of my life savings c. £75,000 (US\$78,000) and cannot afford to employ more legal advisers – (of which, because of my experience, I have now become extremely wary)

In any case, the outcome of my very comprehensive first-hand experience proves that I will definitely NOT get justice and redress in the English courts. (Hence, my call for your kind support).

- In spite of the fact that I have supplied with my complaints against two solicitors, one barrister, the managing agents and the accountant for the block what I consider to be very damning black on white evidence, none of my complaints have been upheld (because, in the English 'so-called' self-regulatory environment, the professions' complaints handling departments are not going to 'bite the hand that feeds them'). Hence, I cannot get the redress and just treatment I believe I deserve.

In addition:

- Court and tribunal documents containing defamatory statements against me are in the possession of other leaseholders - hence, the public at large. Furthermore, an inaccurate summary of the case has been placed on the LVT database, accessible by the public. (Likewise, the tribunal has refused to amend it). (see http://www.leasehold-outrage.com/pg_lvt/summary.php)

Has this false information been captured by e.g. credit rating agencies? What will be the effect on my future employment prospects?

- Kensington and Chelsea police has "*fully recorded a complaint*" against me – following a complaint by Mr Andrew Ladsky for "*swearing at him*" Hence, I assume that I now have a police record (??) (see http://www.leasehold-outrage.com/pg_police/index.php)

By contrast when I (as well as at least four other leaseholders) complained to the same police station against Mr Ladsky, the answers have been "*lack of evidence*" and "*No crime report has been reported to this police borough regarding Mr Ladsky...you mention that other occupiers had complained this may be correct, but there are no reported crimes about Mr Ladsky*"

These events have led me to conclude that I cannot rely on the police for protection – in breach of Article 5 of the European Convention on Human Rights – *Right to security of person*.

This is what 'justice' and 'regulation' mean in England – for an INNOCENT VICTIM OF A SCAM – given that the answer to my initial question, as well as subsequent events, PROVED that this service charge demand was fraudulent.

Against all of the above, consider that the root cause of ALL of this is...Mr Ladsky et. al. and their aides deciding that I (and the other leaseholders) would be made to pay for the construction of a penthouse flat, addition of three other flats and related works for which we are not liable – and what I view as 'the system' bending over backwards to help them achieve this objective.

Given the on-going harassment, intimidation and attempts to scare me – combined with my experience with Kensington & Chelsea police - the release of my website in the public domain means that I am more than ever in fear for my personal safety. For this reason, I ought to move out of the flat. However, the cost of renting a flat in London - which is very expensive - on top of paying the mortgage on my current flat – would be another haemorrhage on my already much depleted finances. (I am on a salary)

So, I have no choice but to remain living under hellish, war-time conditions (I sleep all dressed up, with my rucksack next to my pillow, a kitchen knife by my bed, etc. (see My Diary Wednesday 2 August 2006 http://www.leasehold-outrage.com/pg_home/my_diary_2006.php)

THIS is the TRUE face of the leasehold system in 21st century England.

I think you will agree that it is not something that English people can be proud of.

Off-the-record, a member of Parliament told me "*the leasehold system is a licence to print money*". Personally, the outcome of my four-year very traumatic, horrendous nightmare experience leads me to describe the leasehold system as a *government assisted form of terrorism, including mental torture*.

Yours, in hope of your kind assistance.

Thank you.

Noëlle Rawé