
HOUSING AND SOCIAL SERVICES

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director Jean Daintith
Chief Housing Officer Mr Gerald Wild

Ms J Hathaway
Martin Russell Jones
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Hendon Central
London
NW4 3JN

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25th June 2004

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

reference: HPU/JH/TRO

Your reference:

Please ask for: John Hutchings

Dear Ms Hathaway,

Ms N K-Dit-Rawe 3 Jefferson House

We have been consulted by the leaseholder at the above address, which we understand you act as managing agents for.

As you are no doubt aware the Landlord and Tenant Act 1985 makes provisions for leaseholders rights in relation to service charges. Furthermore, these have been extended by the Housing Act 1996. Under section 21 of the above act landlords must provide a statement of relevant costs incurred during an accounting period when requested to do so. Furthermore, under the Commonhold and Leasehold Reform Act 2002, which is due to come into force in the very near future, a new section 21A will permit leaseholders to withhold the payment of service charges if the statement has not been provided or does not conform to the statutory requirements.

We understand that Ms Dit-Rawe has attempted to obtain information regarding the end of year accounts (2002 & 2003) but has not received a response.

My letters of: 9 Oct 03; 19 Dec 03 to CKFT; 19 May 04, cc'd CKFT; 18 July 04

Section 21 (1) of the Landlord and Tenant Act 1985 states that a tenant may require the landlord by writing to provide him or her with a summary of the relevant costs incurred in the last twelve month period. S.21 (4) requires this request to be complied with within one month or within six months of the relevant period which ever is the later. S.21 (5) sets out the format the summary should take.

Inspection of the accounts is provided for in section 22 of the Landlord and Tenant Act 1985. This section applies where a tenant, or the secretary of a recognised tenants association, has already obtained a summary under section 21. The tenant, or the secretary with the consent of the tenant, may within six months of obtaining the summary require the landlord by writing to provide reasonable facilities for:-

- a) Inspecting the accounts, receipts and other documents supporting the summary, and
- b) Taking copies or extracts from them.

A request under section 22 can be served on the landlord or an agent of the landlord.

S.25 makes it a summary criminal offence to fail to comply with the requirements of S.21 or S.22 without a reasonable excuse. The Council prosecutes such contraventions and if convicted the landlord could face a substantial fine.

Please respond to this letter within 21 days, failure to do so, may result in this in this authority instigating prosecution proceedings.

A copy of this letter has been forwarded to your solicitors CKFT.

We look forward to hearing from you in due course.

Yours Sincerely,



John Hutchings
Tenancy Relations Officer

Cc: CKFT
Ms N K-Dit-Rawe

IT TURNED OUT TO BE AN EMPTY THREAT

See 15 Oct 04 letter from Gerald Wild, Chief Housing Officer; my reply of 11 Nov 04; his of 7 Dec 04, and the 16 Dec 04 reply from Jean Dantith, Executive Director