

<http://www.leasehold-outrage.com> - Noëlle Rawé



The £7 million (?) (US\$12m) swindle, engineered by surveyors and lawyers, and implemented with the assistance of tribunal, courts, accountant and police

Website of Noëlle Rawé, Jefferson House, Basil Street, London
Victim of leasehold fraud

Home Works & Surveyors Leasehold Valuation Tribunal Lawyers, Courts & LSO Council & LGO Police MPs - Others Business Model

BRIEF OVERVIEW OF CASE - RELATING PRINCIPALLY TO TRIBUNAL AND COURTS

2002 'service charge' demand

1. [Martin Russell Jones \(MRJ\)](#) sent to the Jefferson House leaseholders a [15 July 2002](#) 'service charge' demand of £736,000 for "*repairs and maintenance*" - on behalf of the landlord, [Steel Services Ltd \(SS\)](#) (= [Andrew David Ladsky et.al.](#)). My share (1.956%) was [£14,400](#). In breach of legislative requirements, no supporting evidence was supplied.
2. In [September 2002](#), Joan Hathaway, MRICS, MRJ, threatened me with proceedings if I failed to immediately pay the sum demanded. In [October 2002](#), [Lanny Silverstone, Cawdery Kaye Fireman & Taylor \(CKFT\)](#), solicitors, London NW3 1QA, threatened me with forfeiture and contacting my mortgage lender if I did not pay the £14,400 immediately. (Some of my fellow leaseholders were likewise threatened)

[London Leasehold Valuation Tribunal \(LVT\) – 2002-03](#)

3. Protests by the leaseholders led MRJ-Steel Services to file a [7 August 2002](#) Application to the London LVT to "*determine the reasonableness of the global sum demanded*" (Stipulated by statute).
4. The LVT panel, comprising of the Chair, Mrs J.S.L. Goulden JP, Mr J Humphrys, FRICS, and Dr A Fox BSc PhD MCI Arb, *failed* to perform its legal remit as, in its [17 July 2003](#) so-called 'determination', it did *not* include a summary of the impact of its 'determination' on the global sum demanded.
5. My (RICS) surveyor determined that the impact of the findings during the hearings was a reduction of £500,000 of the sum demanded (including the £140k contingency fund). In other words: 70% of the sum demanded was considered as "*unreasonable*".
6. The LVT President, Siobhan McGrath, twice refused my request to include a summary of the findings in the report. The decision was endorsed by the then Office of the Deputy Prime Minister, headed by John Prescott.
7. The LVT panel also made a categorical claim in its report about a "*cost increase*" – at a date that was *three months post* issuing its report and falsely, and therefore libellously blamed me for this.
8. 'Very conveniently' for SS, since 2003, the [summary of the case on the LVT database](#), of course, fails to specify the impact of the 'determination' on the global sum demanded, and *falsely* accuses me of being the cause of the "*cost increase*". Siobhan McGrath/LEASE Advice also refused my request to replace it with "*a factually accurate summary of the case*".

9. The [LVT](#) went out of its way, in other ways, to 'assist' SS=Ladsky by, in breach of their legislative rights: **(1)** *not* informing "some" of my fellow leaseholders of the 7 August 2002 Application – thereby preventing them from taking part in the proceedings; **(2)** *withholding* from "some" of us, including myself, critical documents supplied with the Application; **(3)** *waiting* more than two months to inform "some" of us of a pre-trial hearing.
10. Furthermore, the LVT took *no action* when I reported that MRJ was *not* complying with the directions set by the tribunal. It continued to take *no* sanction whatsoever against SS parties – *in spite* of the fact that the outcome of the hearings had overwhelmingly demonstrated that their submissions, including "[Expert Witness](#)" reports' to the Tribunal, as well as correspondence, were a pack of lies – hence, endorsing SS parties' absolute, utter contempt of Her Majesty's Tribunal.
11. The Government claims that the LVTs are a forum where leaseholders do *not* need representation. I believed it, but the conduct of the London LVT eventually forced me to employ a surveyor, solicitor and barrister – at a cost of £28,000. The LVT's failure to perform its legal remit forced me to spend a further £1,800 in surveyor fees to determine the impact of its 'determination' on the global sum demanded.

[West London County Court \(WLCC\) – 2002-04](#)

12. In breach of, among others, the directions given to us at the 29 October 2002 LVT pre-trial hearing to [not pay](#) the service charge *until* the Tribunal had issued its determination - and it had been implemented, one month later, [CKFT](#) proceeded with filing, in WLCC, a [29 November 2002 claim \(ref. WL203537\)](#) against me and 10 of my fellow leaseholders - representing a total of 14 flats – [demanding full payment of the 15 July 2002 demand](#).
13. WLCC accepted and proceeded with the claim *in spite* of having absolute knowledge that it was (among others) an abuse of process of court. (I raised this with WLCC seven times over a seven-month period). It also proceeded with the claim *in spite* of the fact that, in breach of Civil Procedure Rules (CPR) the [statement of truth](#) was endorsed by [Joan Hathaway, MRICS](#). (A managing agent acting for the property *cannot* endorse the statement of truth. If this happens, "a party may not rely on the contents of a statement of case as evidence until it has been verified by a statement of truth")
14. Likewise, my also informing Siobhan McGrath, of the abuse of process, fell on deaf ears.
15. To the very end, WLCC, as well as [Wandsworth County Court](#) (where my file, among others, was *wrongly* transferred in June 2004), continued to ignore the evidence they were supplied with. Both courts were absolutely hell-bent on making the leaseholders pay what 'SS' demanded - by whatever means, including using highly cruel, vicious, sadistic tactics to beat us into submission e.g. in my case *falsely* telling me – and insisting – that **(1)** I was the defendant in a trial; **(2)** a Charging Order hearing concerned me; **(3)** a judgment had been entered against me. Also: making me miss a hearing by failing to send me the notice. And, generally, judges 'lapping up' whatever CKFT told them, as though it came from Mount Sinai.
16. By means of, among others, Charging Orders and Judgments, WLCC assisted CKFT in bullying at least seven of my fellow leaseholders into paying the 'service charge' *before* the Tribunal had issued its 17 June 2003 report. (Ultimately, the majority of the leaseholders ended-up being made to pay the *full amount* demanded (based on [information](#) I received from the Institute of Chartered Accountants for England and Wales) – resulting, in my – non-lawyer opinion – in a £500,000 theft). [My Diary – 6 May 08](#)
17. In my case, through [CKFT](#), [SS](#) made me a [21 October 2003](#) "offer" of £6,350 (v the [£14,400](#) originally demanded). Although, legally, I did *not* owe this amount either, having been made to go through 20 months of absolute, sheer utter hell by the LVT, WLCC and

CKFT, against my moral principles, I accepted it and paid it in [December 2003](#) “for the sake of bringing this dispute to an end”.

18. After a further six-month battle with CKFT and WLCC, the agreement, captured in a Consent Order, was endorsed by [Wandsworth County Court](#) on [1 July 2004](#). (Three months later, [MRJ](#) sent me a [21 October 2004](#) invoice stating “Brought forward balance: £14,400” i.e. as though no “offer” had been made, accepted and paid) (MRJ knew from my [December 2003](#) letter that I had accepted and paid the “offer” “in settlement of my share of the major works”)
19. Because of the conduct of WLCC, by August 2003, I ended-up employing a firm of solicitors ([Piper Smith Basham/Watton](#)) and two barristers ([David Pliener](#) and [Stan Gallagher](#)) – at a total cost of £10,000. (Hence: the WLCC judges achieved what was clearly their objective). ('My' legal advisers ended-up 'batting for the other side').

[West London County Court – 2007-08](#)

20. On [27 February 2007](#) another - fraudulent - claim was filed against me in WLCC, (ref 7WL00675). This time by [Jeremy Hershkorn, Portner and Jaskel, solicitors](#), London W1U 2RA. The claimant was given as “[Roostock \(sic\) Overseas Corp](#)”, claiming to be “the lessor” of my flat, hence my ‘landlord’, and demanding payment of “£10,006.59”. However, the particulars of claim included a 13 February 2007 invoice from [MRJ](#), totalling “£8,937.28”, and giving “[Steel Services Ltd](#)” as the “landlord”, “[c/o C.K.F.T.](#)”
21. Hence, the claim contained: two different company names, both claiming to be my “landlord”, each represented by a different firm of solicitors, and each claiming a different amount of money from me. I made this abundantly clear on the [Acknowledgment of Service](#) I returned to WLCC. To no avail.
22. The claim was preceded by Hershkorn sending me a malicious letter dated [16 February 2007](#), threatening me with “*bankruptcy proceedings, forfeiture*” and “costs” if I failed to “*immediately pay £8,937*” to “*Rootstock Overseas Corp*” – and failing to supply any information in support. [I replied](#) that, as I had never heard of the company, it was clear that I did not owe it any money. Hershkorn’s reply was to file the claim against me.
23. After a very traumatic 16-month battle with [Portner](#) and the [WLCC](#) judges and court staff - as I predicted in my [3 June 2008 Witness Statement](#) - the 'claimants' *failed* to supply me with their witness statement. This was a repeat of what took place with the [29 November 2002 claim](#) but, because this time I was a Litigant in Person throughout the process i.e. *not* represented - thereby removing the possibility of a 'behind the scene deal' - instead of the previous outcome (which was the [21 October 2003 “offer”](#)) - the outcome second time round was a [6 June 2008 Notice of Discontinuance](#) of “ALL” of the claim against me - with *no* reason given.
24. This outcome vindicated my position I had endlessly repeated in my documents to WLCC over the previous 16 months, including in my [12 September 2007 Defence](#): this claim was *fraudulent*. It therefore made it the second fraudulent claim filed against me in WLCC by Ladsky et.al. - and the second time that WLCC *totally* ignored the evidence I supplied against the claim. WLCC also dismissed my perfectly legitimate Applications. In other words, as far as WLCC is concerned: I am a piece of dirt, a non-entity with no rights, there to be used and abused at will by Ladsky’s mob and the WLCC judges and staff.
25. As per my rights, I started the procedure to claim back my costs. It led [Portner](#) and its client to give the most outrageous, preposterous excuse for dropping the claim “...it was found that the demand for ground rent and service charges served by the managing agent had given the incorrect identity and address for the landlord...”. I raised the issue - with

Portner *and* WLCC - as to the identity of my 'landlord' - and consequently the issue as to the legality of the claim against me - a total of 11 times over a 14-month period. Portner # 33

26. The collusion and conniving continued: having received, two months previously, my 26 August 2008 Application for a Detailed Assessment hearing, four hours before the 4 November 2008 hearing, District Judge Nicholson issued an Order for the case to be transferred to the Supreme Court Costs Office.

Supreme Court Costs Office (SCCO) – 30 January 2009

27. Ahead of the 30 January 2009 SCCO so-called 'hearing', I served my [19 January 2009](#) Amended Reply, preceding it with a five-page summary very clearly detailing why I believed to be entitled to – at a minimum - get *all* of my costs back. I also supplied a [480 page bundle](#) of 153 supporting documents which, of course, included, among others, *all* the documents I had served on WLCC from the time the claim was filed against me, as well as *all* the correspondence – and to which I referred in my 19 January 2009 reply.

28. Portner sent me a [14 January 2009](#) "offer" of £4,500 on behalf of "Rootstock Overseas Corp" - stating that it was "*an all in figure in full and final settlement of your costs in this matter*" - "*Without prejudice*". The costs Portner had were those in my 11 November 2008 update: £7,277. By the time I received the "offer", they amounted to [£8,397](#).

29. In my [19 January 2009](#) reply, I turned down the "offer" describing it as "*derisory*" as, from the time the fraudulent claim was filed against me on 27 February 2007, [WLCC](#) and its 'partner', [Portner](#), cost me (in addition to horrendous torment, anguish and distress over a period of 21 months): over 500 hours of my life; 52 hours of lost income, and numerous other costs which, at 30 January 2009, amounted to £8,675 - including interest.

30. Starting with immediate hostility, Deputy Master Hoffman did *not* allow me to refer to my 19 January 2009 document - and ultimately *only* allowed me £2,507 of my costs, plus interest since the 6 June 2008 Notice of Discontinuance - bringing the total to [£2,641](#) v. my costs of £8,675.

31. Needless to say that, in line with WLCC's 'approach' the word 'sanction' against the 'claimants' =Ladsky et.al. for filing what was a glaringly obvious vexatious, malicious, claim against me - with no legally recognised ground - and making me go through sheer hell for 21 months - was *not* uttered. (It follows also that both courts approve of Ladsky et.al. abusing Her Majesty's Court Service to their own fraudulent end).

32. In fact, in addition to implying, in the context of the costs I claimed for writing my 12 September 2007 Defence, that I am a liar, in a condescending, hostile tone, Deputy Master Hoffman challenged me for returning the [22 March 2007 Acknowledgment of Service](#) with two pages from the claim, on which I wrote annotations (highlighting the issue about the identity of my 'landlord', etc) - and told me "*You should not have done this. You should have only returned the form the court sent you*" (NB: Because my doing this is 'highly inconvenient' for WLCC)

33. At the end of the so-called 'hearing', the matter of the [14 January 2009](#) £4,500 "offer" from "Rootstock" was raised. When I showed Deputy Master Hoffman my reply of [19 January 2009](#), he expressed scorn as soon as he read my header "*Your derisory "offer" of 14 January 2009*" - (and did not bother to read the rest which, I suspect, he had seen before) - and hence disapproval at my rejecting it – because, 'of course', it would have been 'extremely convenient' to not have 'the hearing'.

34. When asked by Deputy Master Hoffman whether I intended to challenge the decision, I replied that I would not (as it is blatantly obvious that, as it stands, my 'card is marked')

with the Court Service - thereby – illegally - depriving me, the innocent victim of crime of my rights of access to justice and redress)

Questions:

35. As a British, law-abiding, tax-paying (£500,000+ since arriving in this country), blatantly obvious innocent victim of organised crime, **I would like to know**: what gives Andrew Ladsky, his lawyers and surveyors the right to control a tribunal panel, tribunal staff, judges and court staff in three courts by: **(1)** dictating that they should *totally* ignore their legal remit by denying me my legislative rights for justice and redress, including my Human Rights, as well as rights under my lease; **(2)** turning a blind eye to Ladsky et.al.'s numerous breaches of statutes and court rules; **(3)** holding the view that they could subject me to 43 months of unbelievably vicious, perverse, sadistic and cruel treatment?
36. And the parties in the tribunal and the courts did this with the obvious approval of the then Lord Chancellors, [Lord Falconer](#) and [Jack Straw](#) – as both ignored my 'cries for help'.
Why?

Kensington police

37. Andrew Ladsky's 'friends' also extend to my local police station, Kensington police which, since 2002, has demonstrated great eagerness to 'assist' him – by whatever means, including:

1. Following a so-called 'complaint' against me by Ladsky, TDC Simon J Dowling of the 'Community Safety Unit' impersonated a police officer (my conclusion) by sending a malicious, libellous [16 March 2007](#) email to my website Host in which he wrote "*I am the police officer dealing with this crime*" and making *totally* unsupported, false accusations against me – as well as branding me a "Nazi" because I am of part German descent. [K&C police # 3 ; My Diary 20 Mar 07](#)
2. As a result of being challenged by my website Host who asked "*Are you aware that there are laws against making false accusations?*", Dowling backed-down in his [20 March 2007](#) email to my website Host "*Thanks for your reply, yes there are laws relating to false reporting. If you are unable to close the site down I will let the victim know as there is nothing we as a police force can do except class it as a racist incident...*" - while still making an unsupported, libellous accusation: "*racist incident*"
3. Kensington police *failed* to contact me - at any point in time - in relation to this so-called 'complaint' against me – thereby *totally* denying me the right to defend myself against the false accusations. However, Dowling found the time to contact "*social services to see if they are aware of her*" because he deemed from my website that I was "*obviously extremely paranoid*" and suffering "*some mental issues*"
4. In blatant breach of my rights, this 'complaint' has been filed as a "*crime report*", as has the other so-called 'complaint' from Ladsky, in 2003 that 'I swore at him'. [K&C police # 2](#)
5. Pursuant to my rights under the Data Protection Act 1998 (DPA), I filed a [28 May 2009](#) Subject Access Request, and received three "*crime reports*" (The third one is my complaint of 2002 following receiving numerous anonymous phone calls). [K&C police # 1](#)
6. In my [13 August 2009](#) reply I highlighted numerous contraventions of the DPA. It led to a '[get lost](#)' response from the Police Public Access Office. I re-iterated my points in my [20 September 2009](#) letter, [escalating it to Chief Superintendent Mark Heath, Borough Commander, Kensington police](#). It led to a [22 September 2009](#) 'get lost' from Steve McSorley, Acting Chief Inspector, 'Professional Standards'. My pursuing this [K&C police # 5](#)

further, led to [another 'get lost'](#) from McSorley, in which he denied Kensington police having committed any breaches.

7. In despair, I sent a [28 November 2009](#) 'cry for help' to Sir Paul Stephenson, Met Commissioner, and to the then [Home Secretary, Alan Johnson](#), in which I related not only recent events, but also my experience with Kensington police since 2002.
8. Subsequent events revealed endorsement of Kensington police's conduct at the highest level in the police – including by the so-called 'Independent' Police Complaints Commission.
9. On [2 June 2010](#), I sent a Section 10 Notice under the DPA, to Mark Heath, insisting that my demands are met. I supported my 10-page Notice with a [66-page document](#) reiterating the points in my previous correspondence. Under the Act, Heath had 21 days to reply. To date, he has not, not even acknowledging my correspondence.
10. Consequently, as per my rights under the Act, I am going to start proceedings against Kensington police... assuming that I am finally able to determine who I should file the claim against.

[K&C
police
5](#)

Question:

38. What gives Andrew Ladsky the right to, on the face of it, also have complete control over the police, including at the highest level – and dictate that they should - all - ignore their legal remit by denying me my rights for redress and protection, including my Human Rights – as well as rights under the DPA - while turning a blind eye to his and aides' unlawful activities, a number of which are punishable by imprisonment?

LATEST EVENTS

39. After a 3.5 year silence (since the [1 March 2007](#) invoice) I have received a [9 July 2010](#) 'service charge' demand from [MRJ](#) stating "*Brought forward balance: £24,002*". No explanation provided. Yet again, this 'demand' is definitely fraudulent and is a continuation of the harassment, persecution and sadistic, perverse tactics. (I assume that the expectation was that, by now, Ladsky and his supporters in the wider arena would have succeeded in 'destroying me' / getting me 'locked-up')
40. More than one year after receiving my complaint against the courts and the tribunal, the [Parliamentary and Health Service Ombudsman \(PHSO\)](#) continues to 'mess me around'. (Getting the complaint referred to the PHSO entailed a four-month battle with [my MP, Sir Malcolm Rifkind](#))
41. On the upside: the death threat of [15 June 2009](#) "*Enjoy your life. You don't have long to live*" has (evidently) yet to be implemented.

[My Diary
13 Jul 10](#)

['GET
LOST!'
from
PHSO #
2.1](#)

YES: ALL of the above stems from my 'daring' to challenge - as per the rights the legislators have told me I have the right to demand - a fraudulent - £14,400 service charge demand - and from my doing EXACTLY what the British State told me I needed to: DEFER to its departments for justice, redress and protection.

ALL because [a bunch of crooks decided they wanted a multi-million Pound jackpot](#): illegally getting the Jefferson House leaseholders to pay for the construction of a penthouse flat that was sold for [£3.9 million](#); adding three other flats to Jefferson House.

Date:.....

Noëlle Klosterkotter-Dit-Rawé