

Mr Steve O'Connel, AM  
Planning and Housing Committee  
City Hall  
The Queen's Walk  
London SE1 2AA

[Ms Noëlle Rawé](#)

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1 (By 'Recorded Delivery')

2 4<sup>th</sup> October 2011

3 Dear Mr O'Connel,

4 **Review into leaseholder service charges**

5 One of your colleagues made a presentation at the AGM of [C.A.R.L.](#) (Campaign for the  
6 Abolition of Residential Leasehold) on 24<sup>th</sup> September. He gave us a copy of your (undated)  
7 letter if we wanted to provide input into your research project.

8 In this letter, you ask for comments in relation to 5 questions.

9 **Q1 – What are the components of service charges in London, how much money is being**  
10 **charged and how this has varied over time?**

11 Please, see attached a [5-page spreadsheet](#) in which I have captured information from  
12 accounts or "estimates" from 1992 to 2011, for Jefferson House, 11 Basil Street, London SW3  
13 1AX.

14 In this, I have calculated the Compound Annual Growth Rate, or percentage increase.

15 I have included Notes. I also enclose 17 supporting documents because some of what is  
16 captured may be hard to believe. (The list of documents is on the 5<sup>th</sup> page of the  
17 spreadsheet). All the documents referred to are on my website [www.leasehold-](http://www.leasehold-outrage.com)  
18 [outrage.com](http://www.leasehold-outrage.com).

19 **Q2 – What evidence is there of emerging good practice in terms of the management and the**  
20 **impact on the level of service charges?**

21 Jefferson House is most definitely *not* the block to look at for this – but a very good example  
22 of 'Rachmanism'.

23 **Q3 – What is your assessment of whether service charges are sufficiently transparent and how**  
24 **those paying service charges get a say in maintenance and repair programmes?**

25 Re. "transparency", you will see from: (i) the fact that I have not been supplied with accounts  
26 since 2004; (ii) the invoices I have been sent, and the 'responses' to my demands for  
27 supporting evidence; (iii) the claimed cost of items; (iv) the "estimates", most notably [for 2011](#);  
28 (v) my Notes in the spreadsheet – that "transparency" is as good as that of a 2-metre thick  
29 block of reinforced concrete.

30 As to "having a say": it is non-existent.

1 **Q4 – What are the trends in disputes over service charges, how service charges are challenged**  
2 **and disputes are resolved?**

3 From the Notes in the spreadsheet and supporting documents, you will see that with the  
4 [‘Rachman’ landlord, Andrew Ladsky, and his aides](#), any challenge is met by the threat of  
5 forfeiture, threat of bankruptcy, and followed by fraudulent court claims. If [he makes an offer](#),  
6 and [it is accepted](#), paid [and endorsed](#) by [the court](#), he then has [the managing agents](#) send  
7 [the same demand](#) to the leaseholder i.e. as though nothing took place.

8 [Repeated demands](#) for supporting evidence are ignored. When there is ‘a response’, (other  
9 than the above), it amounts to sending [another copy of the invoice](#).

10 This is in addition to: ongoing harassment and persecution, including reporting of false,  
11 malicious accusations to [the police](#) with the aim of shutting up the leaseholders and making  
12 them pay for ‘daring’ to stand-up for their rights. It also includes harassment and intimidation  
13 of the local [Citizen Advice Bureau](#) (in 2001) for ‘daring’ to help leaseholders challenge the  
14 service charges.

15 **Q5 – What evidence is there of alternative approaches to managing, determining and ways of**  
16 **paying service charges?**

17 [The Rachman way](#) – as demonstrated by what has and continues to take place in [the](#)  
18 [Jefferson House ‘concentration camp’](#). (I am a prisoner with, currently, [a £28,000+ fraudulent](#)  
19 [demand](#) hanging over my head).

20 **If there is any other information you think is relevant to the review please let me know.**

21 There is absolutely no place in the 21<sup>st</sup> century for the feudal, archaic residential leasehold  
22 system. I am aware of the powerful vested interests e.g. Crown Estates, Church, Duke of  
23 Westminster, Earl of Cadogan, etc. who are the key reason for the continued existence of the  
24 system - but they need to be brought into the 21<sup>st</sup> century. They have amassed billions of £s.  
25 How much more money do they ‘need’?

26 They might have had an unwritten code of conduct that prevented the horrendous abuses  
27 that are [so common nowadays](#) - but, now, it is the Wild West, and far worse: populated by  
28 greed-ridden, amoral, often extremely vicious, cruel and sadistic individuals without an iota of  
29 humanity; without a sheriff on whom the leaseholders can call upon for protection because,  
30 more often than not, leaseholders are perceived – and treated – as [non-entities who do not](#)  
31 [have the right to have rights](#).

32 Looking at my horrendous, life-destroying experience [over the last nine years](#), and that of  
33 [other leaseholders](#), has led me to the conclusion that the residential leasehold sector is a  
34 gigantic organised crime operation in which the State plays the *key* role.

35 I contend that, until the long-overdue demise of this archaic system, addressing the situation  
36 requires going all the way upstream, as well as sideways into the system’s supporting  
37 infrastructure:

38 1. [Very robustly regulate the sector](#) - Currently, it is *totally unregulated*. Whereas, to offer  
39 financial advice, ‘a man and a dog’ outfit needs to be vetted by, and registered with [the](#)  
40 [FSA](#), landlords who control what is, for most people, their main financial asset and can, at

1 times, handle millions of £s of leaseholder money (e.g. [Tchenguiz's control of 200,000+](#)  
2 properties) are *not* subjected to *any* kind of control.

3 Further, many are domiciled in offshore jurisdictions such as e.g. [British Virgin Islands](#)  
4 and [Panama](#) for which the *only* formality is to ensure the payment of a few hundred  
5 dollars for registration. Not only does it help them escape the need to comply with  
6 legislation e.g. leaseholders' statutory right to know the name of directors who control  
7 their block - what recourse do leaseholders have if e.g. [their contingency fund](#) is sent  
8 offshore?

9 The potential for very rich pickings, combined with the total lack of regulation not  
10 surprisingly, act as an irresistible magnet for crooks. It is a well-known fact that if you put  
11 rotten apples with good ones, the whole batch will rot. I contend that most of the sector is  
12 now seriously rotten. In fact, I would describe it as 'vermin infested'<sup>1</sup> (I likewise hold the  
13 view that it applies to a significant part of the sector's supporting infrastructure).

14 2. Provide truly effective remedies – Churning out legislation without ensuring that those with  
15 the responsibility to implement it *actually and consistently* do so, is a waste of taxpayer  
16 money. As it stands, the rogue elements know they have carte blanche to do exactly as  
17 they please - without fear of sanction by:

18 a. The Leasehold Valuation Tribunals (with some exceptions). As somebody said during  
19 the C.A.R.L. AGM (and received wide support): "*The LVTs are part of the problem*".

20 I naïvely believed the State that it ([London LVT](#)) would be the end to my problem by  
21 drawing a line under the costs. Instead, it was the start, as it failed to perform its  
22 statutory duty. In the process, it cost me, among other, [£30,000](#) of my hard-earned life  
23 savings – for a [£14,400 fraudulent](#) demand.

24 b. The courts – Based on my experience in [2002-04](#); [2007-08](#) and [30<sup>th</sup> January 2009](#)  
25 when they totally overlooked the breaches of statutes and of Civil Procedure Rules;  
26 ignored the compelling evidence; made me go through sheer utter hell for 'daring' to  
27 stand-up and fight for my rights. I know of other leaseholders who, like me, were facing  
28 fraudulent claims, and had a similar experience.

29 c. The councils' housing departments – They are the prosecuting authority for  
30 contravention of Landlord-Tenant legislation. I had to battle with [my local council of](#)  
31 [Kensington & Chelsea](#) for several months to get it to obtain accounts for Jefferson  
32 House. Eventually, I escalated my complaint to the [Local Government Ombudsman](#)  
33 who, in typical style, sided with the council (I am one of many similar examples e.g.  
34 Ombudsman Watch at [www.ombudsmanwatch.org](#)). The council took no action  
35 against the managing agents, preferring to believe their lies to what I was reporting. (I  
36 also involved my local councillor – in vain). Currently, I have not had accounts since  
37 2004. I am not going to put myself through that hell again = landlord and managing  
38 agents win - and I remain a prisoner in [the 'concentration camp'](#).

39 d. The police – At best, it turns a blind eye to landlords' criminal activities when the  
40 evidence is placed under its nose e.g. as [Notting Hill police et.al.](#) did when "*looking at*

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<sup>1</sup> Oxford Dictionary definition of 'vermin': "*very unpleasant and destructive people*".

1 [my] website”, on which I have black on white evidence of [false accounting; fraud;](#)  
2 [harassment, etc.](#)

3 At worst, [it runs a henchmen-protection racket to ‘certain landlords’ e.g. in my case:](#)

4 i. Accepting – without any challenge whatsoever - false, malicious, vicious  
5 accusations against me and opinions of me from the landlord (out of revenge for  
6 my ‘daring’ to stand-up to him)...

7 ii. ...by using the trick of describing him as my “neighbour”. When challenged,  
8 falsely asserting ([under a statement of truth](#)) that it has “negligible effects” -  
9 because, in reality, this description is the foundation on which the majority of the  
10 landlord’s and police-endorsed – as well as police’s additional - false, malicious,  
11 vicious accusations against me and opinions of me rely. Among many others, it  
12 allowed the police to capture that the landlord felt “intimidated” by me – which is  
13 [hilarious](#) considering what [he has done and instigated against me \(and fellow](#)  
14 [leaseholders\) since 2002.](#)

15 iii. Filing false “crime reports” against me without ever contacting me; or before  
16 contacting me, and then ignoring [my reply](#) and, in the process, [falsely claiming](#)  
17 [that I had not responded](#) – thereby denying me the right to defend myself against  
18 the false, malicious, vicious accusations and opinions of me and avoid capturing  
19 evidence that totally undermines the “crime reports”.

20 iv. Claiming in the “crime report” that there is [“No suspicion of false reporting”](#).

21 v. Ignoring the evidence, covering it up through fabrications and lies; falsely claiming  
22 [Elderly Res](#) that the landlord [“has not been subject in any crime reports”](#) when, in fact, at least  
23 [Head](#) 5 leaseholders complained against him to the police – and doing this while  
24 [Res.Asso](#) claiming (under a statement of truth) that [“all the details supplied \[in the context of](#)  
25 [Other Resid.](#) a complaint] *must be recorded*”.

26 vi. Without ever contacting me, sending [an e-mail](#) to my website Host accusing me of  
27 having committed a crime, by stating [“I am the police officer in charge of this](#)  
28 [crime”](#) – without providing any evidence in support of the accusation. ([Under a](#)  
29 [statement of truth](#)), claiming that its e-mail amounted to: [“ma\[king\] inquiries to](#)  
30 [\[my\] website host”](#), and that: [“\[it\] did not suggest that \[I\] was guilty of the alleged](#)  
31 [conduct”](#) – which is clearly not the case.

32 vii. Sending me a [threatening, intimidatory letter](#) that [the landlord](#) had filed a  
33 complaint against me for [“using abusive language”](#); it had [“been fully recorded by](#)  
34 [the police”](#) (Hence: before contacting me); warning me of [“further consequences if](#)  
35 [\[I\] confronted Mr Ladsky”](#). It was signed [“Crime Investigator”](#).

36 And the police et.al. also provide a ‘retribution service’ if a leaseholder ‘dares’ to  
37 continue fighting for his/her rights, in the process exposing the wrongdoings by the  
38 landlord, his aides and those of other miscreants who opted to assist them and protect  
39 them. This is what has and continues to take place in my case, entailing e.g.:

40 i. Hounding me, tracking me, monitoring me, [including surveillance and interference](#)  
41 with all my means of communication, etc. [My Diary 23 May 10; my 19.07.11 Home](#)  
[Office Wit.Stat.](#)

1 Under the [Regulation of Investigatory Powers Act 2000](#), the legally justifiable  
2 grounds - in relation to which the surveillance must be assessed as “*necessary*  
3 *and proportionate*”, are: in the interest of national security; prevention or detection  
4 of serious crime; safeguard of the economic well-being of the country; public  
5 safety; to protect public health.

6 I know that I have *not*, and I am *not* engaged in any conduct that calls in any of  
7 these legal grounds. So: ‘on the face of it’, what is used as ‘justification’ for the  
8 surveillance and interception (and concurrent spending of a significant amount of  
9 taxpayer money)? Obvious: [the false, unlawful, malicious “crime reports”](#) from  
10 which entries can be fitted under one or more of the above categories, as well as,  
11 no doubt, far more damaging data against me.

12 These reports are accessible by a host of parties: law enforcement agencies,  
13 courts, central and local government, etc. – including social services which the  
14 police contacted because it ‘deemed’ – using the landlord’s and its lies as  
15 grounds – that “[\[I\] have some mental issues](#)”.

16 ‘On the face of it’ because it is abundantly clear from what I report that it is not  
17 surveillance in accordance with the rule of law - but in actual fact: harassment and  
18 persecution intended to cause me an ongoing mix of anxiety, distress, fear,  
19 inconvenience, blight my life by affecting all my daily activities, cut me off from my  
20 contacts – added to the objective of getting me ‘out of action’. Among other, a  
21 police officer told me: “*We have to keep information in case you commit an*  
22 *offence and end-up in court*”. To which I replied: “*False information; that’s what*  
23 *you are planning on using against me in court?*” In other words: it is *retribution* for  
24 my ‘daring’ to stand-up and fight for my rights. [My Diary 4 to 17 Oct 10](#)

- 25 ii. Refusal to investigate my well-documented complaints of harassment and, ([under](#)  
26 [a statement of truth](#)), falsely claiming it: “*did not accuse [me] of “following the*  
27 *man”*”, it: “*did not state that [my complaint] would be filed as an “intelligence*  
28 *report”*” because I had: “*not provided sufficient evidence*”. I can prove that these  
29 claims are false as I recorded the conversation. (I supplied the recording and  
30 [transcript](#) to the Met’s Directorate of Legal Services (and to the [Home Office](#) and  
31 [IPCC](#)) in the context of my [19<sup>th</sup> April 2011 claim](#) ([Queen’s Bench](#), ref:  
32 HQ11X01471)).

33 I made seven visits to my local police in vain attempts to get my complaints  
34 investigated. Throughout, over my coat, I wore [a T-shirt](#) stating, in large lettering:  
35 “*Victim of Fraud and Corruption – [www.leasehold-outrage.com](#)*”. Needless to  
36 say that none of the officers I saw asked me about it. (In the same way that none  
37 ask me about it when they see me wearing it in the street. In fact, fairly recently, a  
38 local police officer mocked me). Same treatment when [I reported to the then Met](#)  
39 [Commissioner and then Home Secretary](#) the death threat I received: “*Enjoy your*  
40 *life. You don’t have long to live*”: it was ignored.

41 Conclusion: when facing a ‘sacrosanct’ landlord: [his victim is treated as the criminal](#),  
42 and more accurately, in my case, as a terrorist - but with none of the human rights  
43 afforded to the real terrorists - and [he is treated as the victim](#).

44 And the police does this with the very obvious endorsement and approval of the [Home](#)  
45 [Secretary](#). In my case, [the Home Secretary was served](#) with all the documents in

1 relation to my [19<sup>th</sup> April 2011](#) claim against the police, Home Office and IPCC; which  
2 means [all the defences, replies, witness statements and supporting documents](#). (It also  
3 does this with the approval and endorsement of the [High Court Master](#) who very firmly  
4 pinned his colours to: (i) the mast of the police by acceding to its demand [to have my](#)  
5 [claim \(unfairly and wrongly\) struck-out - with costs \(£8,407\)](#); (ii) the [Andrew Ladsky](#)  
6 mast by fully endorsing his false, malicious, vicious accusations against me – and his  
7 concurrent portrayal by the police as the ‘poor innocent victim’. (I have appealed  
8 against the Order).

9 Another example of police support to landlords – at the expense of leaseholders: In its  
10 19<sup>th</sup> September 2011 issue, the Evening Standard reported in its article, *“Tchenguiz*  
11 *assets freed by deal with Kaupthing”* that *“When Tchenguiz was arrested, the police*  
12 *alleged that he had “substantially misled” Kaupthing”*.

13 How about the tens of thousands of elderly people that he *“substantially misled”* on  
14 service charges - and more accurately ripped-off? In addition to being brought to the  
15 attention of some MPs, these cases have been widely reported in the media e.g.  
16 [“Homeowners concerned by managing agents charging sky-high fees”](#) *“...Some of the*  
17 *worst examples are seen in sheltered accommodation, where vulnerable older people*  
18 *can pay huge charges for wardens and alarm systems... The biggest player... Peverel*  
19 *Group Ltd [Tchenguiz]...manage[s] 200,000 leasehold properties across the country...*   
20 *Charities such as Age UK have lobbied the Government for years to enforce regulation*  
21 *of managing agents and are confounded by the lack of protection for residents in*  
22 *leasehold properties”* (Daily Mail, 27 Jan 11).

23 e. The so-called ‘professional’ bodies - of [lawyers](#), [surveyors](#), [accountants](#), etc. who turn a  
24 blind eye to serious misconduct by their members – because they are not going to bite  
25 the hand that feeds them. Further, some have a ‘Memorandum of Understanding’ with  
26 the police e.g. [ACPO and Law Society](#).

27 3. [Enforce existing legislation](#) - E.g. 9 years since the Commonhold and Leasehold Reform  
28 Act 2002 was introduced. Yet, to this day, s.152 of the Act, *“Statements of account”* has  
29 yet to come into force. Why?

30 Only the very resourceful will find that out: [www.legislation.gov.uk](#) has an annotation at  
31 the bottom of s.152 that states *“partly in force”*; when you click on it, it brings back the  
32 same page. Outcome: you do not know which part is *“not in force”*.

33 I give the above in support of my position that the residential leasehold sector is a gigantic  
34 organised crime operation in which the State plays the key role.

35 As suggested by your colleague, I am copying [Sir Merrick Cockell](#), GLA member for my  
36 borough of Kensington & Chelsea, on this letter and the spreadsheet. I am also copying Mr  
37 Nigel Wilkins, Chair of [C.A.R.L.](#), on both, for information, as well as Mayor Boris Johnson in  
38 the context of his survey *“Tell Boris what you think!”* as I have identified the residential  
39 leasehold sector as one of my two key issues (with the police).

40 Yours sincerely,

41 Noëlle Rawé