

**Main Identity**

**From:** "Jefferson House Residents Association" <mefr53@dial.pipex.com>  
**To:** "Management2" <management@m-r-j.co.uk>  
**Sent:** 02 February 2002 12:44  
**Subject:** Re: Appointment of companies for Condition survey  
 Attention Joan Hathaway

While we are still in the process of seeking advice, including on the points stated in your response below, the objective of this correspondence is to communicate to you the reasons for our opposition to the appointment of the companies (as communicated in your letter of 21 December).

- The fact that you are consulting the residents on the proposed appointment of companies (Brian Gale Associates and Michael Jones Associates) suggests that the intention is to charge their costs to the service charges i.e to get the residents to pay for their costs
- Whereas your opening paragraph indicates that the appointment of these companies is in connection with *"the redecoration of the exterior of the block"*, judging by their proposal, this is clearly not the brief that has been provided to these companies. Indeed
  - Brian Gale Associates understand that their focus is primarily connected with the roof
  - Michael Jones Associates understand their remit as focusing on the lift
  - Knight Frank, among others, emphasise the boiler (which Brian Gale may be covering under the section of 'Services')

We believe that the proposed appointment of these companies is connected with the planning application (PP012523) made by KSR Architects on behalf of Steel Services on 13 November for *"the erection of a new residential penthouse apartment at main roof level"* - also stipulated in the planning application as *"erection of an additional storey of roof level to provide one, three bedroom flat"*. And that, consequently, any costs associated with building of the penthouse flat is not to be borne by the residents

**Roof**

- ✓ Construction of the penthouse apartment will require demolishing what is, to our knowledge, a perfectly good roof, and having to build another roof for the penthouse flat. Indeed, KSR has entered on the planning application that the roof will be constructed of *"sumafil single ply roofing membrane (dark grey)"*
- The application also states:
  - 1980 ◦ "enlargement of 2 existing rooflights, construction of 3 new roof lights and provision of a roof access"
  - 1980 ◦ "Demolition works in connection with the alteration of existing roof lights and construction of new roof lights and roof access"
  - 1981 ◦ "Construction of an external staircase, a stair housing and balustrading, all to form 2 roof terraces"

Clearly, why is a survey of the condition of the existing roof required when most, if not all of the roof would be demolished for the purpose of building the proposed penthouse apartment?

**Boiler**

Based on the service charges:

- The annual charge (as reported in the service charges) for repairs and maintenance of the boiler has been on average £2,300 pa.
- In 1998, major works appear to have been undertaken as the charge for that year was given (in the service charges) as £6,718

Therefore, indications are the boiler should be in good working order.

02/02/2002

will  
 be  
 replaced  
 previous  
 APPA member

It seems that housing of the boiler is currently on the roof.

Clearly, it will be in the way of building the penthouse apartment, as the planning application states "construction of an extension at basement level to house a boiler"

Not Relevant

We therefore believe that the proposed survey of the condition of the boiler is connected with the demolition of the existing boiler house and building another boiler house in the basement in order to accommodate building of the penthouse flat.

Other issues related to this are: where in the basement will this be built? Is this going to entail having to replace the existing boiler on which a substantial amount of CAPEX has been spent in the last 3-4 years - and paid for by the residents?

Not Relevant previous Application

Lift

Based on the service charges:

- The annual charge for the maintenance of the lift (as stated in the service charges) has been on average £1,200 (suggesting that the lift has been maintained into proper working order)

By law, maintenance of lifts should be by the supplier/their appointed, qualified maintenance agents. Therefore, there should not be a reason to survey the condition of the lift. If there is indeed a reason to do this, the implications are that: (1) there has been a breach of contract; (2) Lack of safety of the lift has not been communicated to the residents - thereby endangering their life

As we hope that the second scenario can be dismissed, we therefore conclude that the so-called survey of the condition of the lift is in connection with major works that will be required in order to get the lift to reach the proposed penthouse flat.

e.g. the planning application states:

1967 - "Erect roof tank and lift motor room on roof with calorifier chamber in base"

Not relevant previous Application

(We also note that the same planning application (i.e. PP012523 - as detailed above) a request for "putting a door to provide one flat out of the existing flats 29 and 30" i.e. flats currently registered to Abacus (CI) Ltd))

We note your point in your last paragraph about "the urgency of some of the required works" and would appreciate details on these.

We will come get back to you on your other points in due time

Regards

Jefferson House Residents Association

(Hard copy of this email will be sent to you by post on Monday)

----- Original Message -----

From: Management2  
To: Jefferson House Residents Association  
Sent: Wednesday, January 30, 2002 5:35 PM  
Subject: Re: Appointment of companies for Condition survey

Deadline they gave on their 21 Dec 01 notice.

We are in receipt of your e-mail of 26th January 2002 which was not read until Monday 28th January 2002, when the office opened. We are surprised that you should have waited so long to contact us, as we are not aware of the existence of a Residents Association having not received any communications since Mrs [redacted] left. We do understand that our clients, Steel Services Ltd., do not recognise any Association and

have no details of any officers. They also do not regard any Association as properly constituted as a number of tenants have never been consulted.

In respect of your comments on the Landlord and Tenant Act Notice we would inform you that our clients have given adequate notice of the proposed works and have received no other comments whatsoever on them during the statutory time. Although we appreciate that there were the Christmas and New Year Holidays we did in fact allow an extra 7 days over what is required under the Landlord and Tenant Act to take this into account.

In the circumstances we are informed by Steel Services Ltd that the report will be completed pursuant to the Notice given, particularly bearing in mind the urgency of some of the required works

Joan Hathaway  
For Martin Russell Jones

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----- Original Message -----

**From:** Jefferson House Residents Association  
**To:** Joan Hathaway  
**Sent:** Saturday, January 26, 2002 1:39 PM  
**Subject:** Appointment of companies for Condition survey

Dear Ms Hathaway

Further to your letter of 21 December 2001 'Dear Flat owner' regarding

- the appointment of companies "for the preparation of a schedule of works for the redecoration of the exterior of the block"
- but, in fact - based on the proposals from the potential contractors actually refer to: 'condition survey of the roof, the lift and the boiler'

we would like you to note that the residents are currently in the process of seeking advice on this matter.

As many of the residents were on holiday for the two-week period covering Christmas and New Year, your Monday 28 January deadline is, in effect, only giving us three weeks to respond - which is proving insufficient.

We anticipate being in a position to reply by Monday 4 February.

Best regards  
Jefferson House Residents Association

Royal Mail

recorded

Special Delivery

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