

Ms Joan Hathaway
Martin Russell Jones
5 Watford way
Hendon Central
London NW4 3JL

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Ms Noëlle K-Dit-Rawé
3 Jefferson House
11 Basil Street
London SW3 1AX

Via recorded delivery

LVT Ref: LVT/SC/007/120/02

12 January 2003

Dear Ms Hathaway

Major works Jefferson House

Thank you for your letter dated 16 December 2002 – received after 18 December 2002.

At this point, as you will see from the enclosed letter, I have written to the Leasehold Valuation Tribunal asking them to postpone the trial currently scheduled for 5 February 2003.

Contrary to your claims, it is my view that you have not dealt fully with my previous queries and requests, nor have you made the appropriate data available to me individually or via the porter.

You have still not provided me with a sufficiently detailed breakdown of the costs associated with the individual remedies specified in the schedule of condition.

The schedule of condition, prepared by your own advisers, Brian Gale Associates, reflects my view as to how the estimates of the tendering contractors should be presented for review: i.e. costs for each remedy. Without remedy-by-remedy cost information, it is impossible for me to expect an independent expert to review the reasonableness of the cost of the works. Similarly, it is impossible for me to reduce the list of works to a number of specifically disputed line-items in time for the 5 February trial.

In addition, the little documentation you have provided to date fails to prove to me that the aggregate figures cited relate to all and only the remedies included in the schedule of condition that I have seen.

Since I am aware of the landlord's plans to develop the building (increasing the size of certain apartments and adding a floor), I am particularly anxious to ensure that no costs associated with this development (or with the preparation of the site) are included in the quotes for the repair and maintenance works that I, as a tenant, am being expected to pay for.

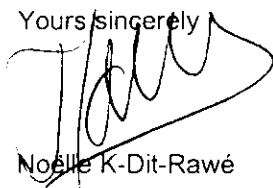
The documentation you have supplied to date, suggests that the tendering process (based on mark-ups and hourly rates and your caveat in respect of possible overruns) leaves me exposed to further unplanned disbursements.

Brian Gale has changed his initial view that *"the cost of works is likely to be in excess of £1 million"* (your 26 March 2002 letter) to the current *expert opinion* that *"£564,467.00 represents a reasonable assessment of the cost"* (expert report dated 13 December 2002). You will understand that this gross variation in expert opinion is not re-assuring. I would like to better understand my exposure and, wherever possible, ensure that this risk has been managed as well as possible up-front by all concerned. Specifically, I would like to see the data that has led Brian Gale to revise his opinion.

Further, I wish to review the detailed estimates of each contractor for consistency, in order to gain re-assurance as to the nature and need for each remedy.

I look forward to receiving these detailed estimates. Once I have them, I hope to be able to appoint an expert to proceed with a review.

Yours sincerely



Noëlle K-Dit-Rawé

cc Mr J.C. Sharma and Mr David Stewart, Leasehold Valuation Tribunal

Enc. 12 January letter to Mr J.C. Sharma and Mr David Stewart, Leasehold Valuation Tribunal

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