

Mr Conway  
Oliver Fisher  
Solicitors  
The Penthouse  
19-27 Young Street  
Kensington  
London W8 5EH

9 April 2003

Our ref: LM.ehD-NR-34/1

Ext. 229

Your ref:

DX 84006 KENSINGTON HIGH ST 2

By Fax Also : 020 7937 4923

Note that in my 16.04.03 reply I very clearly stated that I was not prepared to incur fees for the benefit of my fellow leaseholders - and explained my reasons. McLean nonetheless sent another letter to my then solicitors: 23.06.03...which proved helpful.

Dear Sirs,

Steel Services Limited v

and Others

We act for [redacted] also known as [redacted] respect of County Court proceedings issued against her by Steel Services Limited in the West London County Court on 3 December 2002.

Those proceedings claim the sum of £18,254.97 in respect of service charges which the Claimant say are due in respect of Flat 0, Jefferson House, 11 Basil Street, London SW1.

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We also acted for Miss [redacted] in relation to proceedings that were issued against her and nine other lessees including your client Miss Rawe on the 29<sup>th</sup> November 2002 claiming the total sum of £303,793.27. [redacted] for personal reasons opted to pay the charge against her which was in the region of £18,000 odd.

We understand from Mr Staddon whom we have contacted direct that you have instructed him in respect of the proceedings currently standing in the Leasehold Valuation Tribunal. We understand from Mr Staddon that your client is representing herself in respect of the County Court proceedings. We are unsure as to the current position in respect of those county court proceedings viz your client

That's how it's done!

In respect of the claim against our client brought in the West London county Court our defence is due on 17 April. We shall be contending that the county court proceedings should be stayed pending the outcome of the Leasehold Valuation

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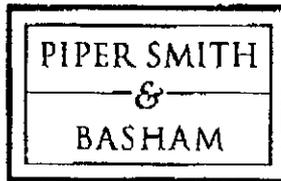
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Tribunal proceedings which we understand is brought pursuant to Section 192(a)(b)(c) of the Landlord and Tenant Act 1985. It could also be said in our view that having issued an application in the LVT seeking the reasonableness of service charges to thereafter commence proceedings in the county court seeking the recovery of those same charges could be an abuse of the process of court.

The position in the LVT is also slightly unclear. We understand from Mr Staddon that there is a final hearing due to take place on the 28<sup>th</sup> April which will involve the final cross examination of the landlord's expert and one presumes thereafter the matter will adjourn for the tribunal to give its determination. Mr Staddon says that he feels the LVT are influenced by the fact that of a number of lessees only your client is disputing the level of service charges and also that the landlord had intimated to the LVT that no other lessee is disputing the service charges demanded. That is clearly not the case although as we have said before we are unsure what position the ten Defendants to the claim issued on the 29<sup>th</sup> November 2002 who have taken.

When we contacted The LVT to obtain a copy of the application we received the following voicemail message:

"Hi Lisa Mclean its David Stewart at the LVT just getting back to you regarding our earlier conversation on Jefferson House. I've had an opportunity of speaking to the chairperson of the tribunal and she informs me that what the tribunal is looking to determine is the reasonableness of the global figure that's attributable to the whole block. She also says that there is no need for you to copy all the papers on this application"

This of course is entirely unhelpful and, if our client is a party to the LVT proceedings then surely we must be entitled to receive a copy of the application and be entitled to represent our client in those proceedings.

We are not sure whether or not there is a tenants association in respect of Jefferson House but, having undertaken a company search we have located a company called Jefferson House Limited of Flat 5, 11 Basil Street, London SW3 AT company number 04184306 which was incorporated on the 21<sup>st</sup> March 2001 and dissolved on the 14<sup>th</sup> January 2003. Are you able to shed any light on whether or not there is a current tenants association.

Finally, it may be advantageous to us if we could have a copy of the LVT application that we understand may well be bulky. We have again today spoken to the LVT and

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&  
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they confirm they will contact the Landlords representative to ascertain exactly who is a respondent to this application!. Would it be possible for you to send the document with any attachments to us, which we will then arrange to have copied and return to you?.

We await hearing from you.

Yours faithfully

= Like West London County Court, Wandsworth County Court, Kensington & Chelsea police and Kensington & Chelsea council, etc Andrew Ladsky and his mob have the final say on whether or not leaseholders are entitled to exert their statutory rights.

PIPER SMITH AND BASHAM

L\_mclean@pipersmith.co.uk

P S Since dictating the above we have spoken to a Surveyor whom we had instructed to attend the premises. His preliminary view is that the service charges seem high and also that it would appear that the top floor flats are being enlarged. Clearly if this is the case that is improvement rather than repair. Do you have any views on this? 

LISA MCLEAN TOTALLY CHANGED 'HER TUNE' WHEN I BECAME A CLIENT - OPTING TO SIDE WITH ANDREW LADSKY AND HIS MOB

Oh yes they were "being enlarged": 'Major works'