

<http://www.legislation.gov.uk/uksi/2004/3086/contents/made>

2004 No.3086 - The Rights of Re-entry and Forfeiture (Prescribed Sum and Period) (England) Regulations 2004 [CLR s.167(1)]

[Highlights, emphasis, URLs, text in square brackets and in boxes are my additions]

Introductory Text

1. Citation, commencement and application

2. Prescribed sum and period

Signature

(If the linked documents don't open, try with: )

Explanatory Note

Made: 22nd November 2004 - **Coming into force: 23rd November 2004**

1. Citation, commencement and application

<http://www.legislation.gov.uk/uksi/2004/3086/regulation/1/made>

1. (1) These Regulations may be cited as the Rights of Re-entry and Forfeiture (Prescribed Sum and Period) (England) Regulations 2004 and shall come into force on the day after that on which they are made.

(2) These Regulations **apply** in relation to dwellings in England that are occupied **under a long lease** (1).

(1) As to “dwelling” and “long lease”, see section 167(5) of the Commonhold and Leasehold Reform Act 2002.

2. Prescribed sum and period

<http://www.legislation.gov.uk/uksi/2004/3086/regulation/2/made>

2. (1) The sum prescribed for the purposes of subsection (1)(a) of section 167 (**failure to pay small amount for short period**) of the Commonhold and Leasehold Reform Act 2002 **is £350**.

(2) The period prescribed for the purposes of subsection (1)(b) of that section is **three years**.

Hence: a landlord can take your apartment away from you if:

you have owed £350.01 - for 3 years and 1 day.

Therefore, **if your property is worth e.g. £400,000, the penalty is 1,143 the value of the alleged debt** (£400,000 / £350) (!!!)

Note also that **the sum of £350.01 is reduced by 'default charges'** (section 167(3) of the Commonhold and Leasehold Reform Act 2002).

(Examples of 'default charges' are “**the £60 and £30 penalty charges**” claimed by [Andrew David Ladsky](#) through his corrupt, racketeering (1) – [unregulated](#) - ‘managing’ agents [Martyn Gerrard](#) in

¹ Concise Oxford English dictionary (COED) definition of ‘racketeer’: “A person participating in or operating a dishonest or illegal business, frequently practising fraud, extortion, intimidation, or violence”

their *fraudulent* 'reminders' of (so far): (1)- [27.01.14](#) (my [10.02.14](#) reply) (to which it never responded - other than [increase the demands](#)); (2)- [27.05.16](#); (3)- [08.08.16](#)

[Feudalism and serfdom](#) are certainly alive and kicking in this island-Kingdom!

What happened to me:

	<p>'Alleged debt' (previous page) - because, more often than not, forfeiture is used as a FRAUD TOOL by the freeholders / headlessors...</p> <p>...- as in the case of 'the poor' 'Jewish' (1) Andrew David Ladsky, "the vulnerable (2) victim who feels intimidated by [me]" (3)...</p> <p>...and his 'Jewish' gang of racketeers:</p>	
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Date	Solicitors – “Regulated by the Law Society” (4)	The threats in the letter	Outcome
07.10.02	Lanny Silverstone , Cawderly Kaye Fireman & Taylor (CKFT)	<p>“...instructed to act on behalf of Steel Services in connection with the recovery of service charges that are due from you...”</p> <p>“...you currently owe...a contribution of Major Works of £14,400 demanded on 17th July 2002...”</p> <p>“If payment is not received by 10 am on 14th October, we have instructions immediately to commence proceedings for recovery of the debt.”</p> <p>“Our client [see CKFT-Intro] also reserves the right to take action to forfeit your lease for breach of covenant and to communicate with your mortgagee (if any), if such action becomes necessary.”</p>	<ul style="list-style-type: none"> - In contempt of court, the mafia (2) filed a fraudulent 29.11.02 claim against me (and 13 other apartments) in Her Majesty’s West London County Court. - The witness statements were due to be exchanged by 16h00 on 21 Oct 03– 26.08.03 HM’s West London County Court Order. - I had my 19.10.03 Witness Statement delivered on that day to ‘my’ solicitors (for events, see page, My 19 Oct 03 WS). - Instead of issuing me with its witness statement, on 21 Oct 03, at 17h43, CKFT faxed a 21.10.03 Part 36 ‘offer’ for £6,350 (!!!) – which, legally, I did not owe either (my 19.12.03 Notice of Acceptance to CKFT). - After a further vicious 6-month battle, CKFT issued me with a Wandsworth County Court- endorsed 01.07.04 Consent Order for £6,350 (Overview # 3).

² COED definition of ‘mafia’: “A group exerting a hidden sinister influence”

Date	Solicitors – “Regulated by the Law Society” (4)	The threats in the letter	Outcome
<p>16.02.07</p>	<p>Jeremy Hershkorn, Portner and Jaskel</p>	<p>"We have been instructed by Rootstock Overseas Corp in connection with outstanding arrears of service charge due..."</p> <p>"...you have failed to make the payments as requested, and as a result...we are instructed to inform you that if payment of £8,937.28 is not received by us...by close of business on 23rd February 2007, proceedings will be issued against you for the full amount due together with interest..."</p> <p>"Such proceedings...will also include the issue of a Statutory Demand, which is required under the Insolvency Act 1986 prior to the presentation of a Bankruptcy Petition."</p> <p>"Such proceedings will be without prejudice to our client's other rights of recovery and enforcement so far as your property is concerned"</p> <p>"We are currently preparing proceedings in order to avoid any delay...If proceedings are commenced and the amount is then paid before proceedings are served, we give you notice that you will nevertheless be liable to discharge the court fees and costs upon such proceedings. The proceedings will not be withdrawn until such court fees are paid in full"</p>	<p>(At the time, I had <i>never</i> heard of "Rootstock")</p> <ul style="list-style-type: none"> - Ignoring my 25.02.07 reply, the racketeers filed a 27.02.07 claim against me in Her Majesty's West London County Court. - The claim <i>breached</i> legislation, my Lease and Civil Procedure Rules – as I started to highlight immediately in my 22.03.07 Acknowledgment of Service (an action that was definitely 'not liked' by Her Majesty's judiciary: Overview # 12). - For the following 16 months, HM's judiciary continued to ignore repeatedly the content of ALL my correspondence, while (as in 2002-04) subjecting me to horrendous criminal psychological harassment (Persecution # 1)– in tandem with the Ladsky mafia (Overview # 11). - The witness statements were due to be exchanged by 16h00 on 4 Jun 08- 09.04.08 HM's West London County Court Order. - I hand-delivered my 03.06.08 Witness Statement to the court. - Repeating what had happened with the 29.11.02 claim, I did NOT get a witness statement from Portner = Ladsky. - I raised this in my 05.06.08 letter to WLCC. - Portner issued me with a 06.06.08 Notice of Discontinuance "of ALL the claims against [me]"

Examples of what happened to other leaseholders

(Also reported [on my website, under 'Forfeiture'](#))

- In a [3 Dec 03](#) article, "**Left homeless for £25**", the Evening Standard reported that a leaseholder (*) was left homeless because, while she had apparently sent at least two cheques to the landlord, he opted to not cash them. Instead, he ran along to the 'landlord-friendly' court to obtain a forfeiture order. The journalist described forfeiture as "*a uniquely savage penalty inflicted only on leaseholders*". (The article also refers to my case).
- In Sep 14, [the Leasehold Knowledge Partnership](#) reported: "**Woman has £165,000 flat forfeited over what began as £290 ground rent demand**".

(*) [Definition of 'leasehold'](#); more detail on my website, [under 'What is freehold?'](#)

References included above:

(1)- Ladsky being 'Jewish': [20.03.07](#) email to my website Host, from Ladsky's henchmen in the [Notting Hill-Kensington police mafia](#).

(2) "vulnerable" & (3) "intimidated"- In the libelous, malicious, highly vicious, cruel and perverse so-called "[2007 crime report](#)" the police mafia is currently processing against me:

- (i)- "[Victim \[i.e. Ladsky\] Details](#)" section: "***Vulnerable / intimidated victim***": **Yes**"
- (ii)- [15/03/2007-16h14-'Primary Investigation Details: 4'](#): "***Victim [i.e. Ladsky] considers himself intimidated***"

Of note, the police only supplied me with this version of the "*crime report*" ('by mistake' e.g. its [28.07.11](#) attempt at retrieving it from me) **after I had served** my [19.07.11](#) Witness Statement, in relation to my [19.04.11](#) Claim in [Her Majesty's Queen's Bench Division](#) against the police et.al. (This took place with the undeniable connivance of the judiciary).

As I wrote under: (i)- **para.21** of my subsequent [29.08.11](#) Supplemental MPS Witness Statement; (ii)- **para.11(2)** of my [17.10.11](#) Appeal Request against [HM's Master Eyre's pack of lies 09.08.11](#) MPS Order, "***This claim is hilarious considering what Ladsky has done and instigated against me (and fellow leaseholders) since 2002***".

Under the former, I wrote: "***Clearly, it was blocked to prevent me from challenging it: its aim is to add weight to the fictional story that 'poor Mr Ladsky' is an innocent victim***".

(Note that my objecting to the above (among many others), was described by HM's Master Eyre in his *pack of lies 09.08.11* MPS order as "[amounting to] ***a most obvious attempt to re-write history***" ([QB # 4\(6\)\(1\)](#)). This demonstrates how sick and corrupt the British State has become) (as well as HM's police and judiciary not having a sense of the ridicule).

(4)- Solicitors "[Regulated by the Law Society](#)"

[Cawdery Kaye Fireman & Taylor \(CKFT\)](#)

- In my [20.12.04](#) complaint to the Law Society against CKFT, I raised, (among many other matters), CKFT issuing me with the illegal [07.10.02](#) threat of forfeiture – under: **para 1.2.2.1** in the summary, and in the main body, under **paras 67, 68, 69, 70, 75, 178 and 179**.

- The [08.02.05](#) 'response' from the Law Society: "You claim that CKFT improperly demanded money from you that was not due. **This, in itself, is a legal issue which this office cannot consider.**"
- My [19.02.05](#) reply: "Your assessment is incorrect. **"Rule 17.05 of the Solicitors Code of Conduct - Letters before action - When writing a letter of claim a solicitor must not demand anything other than that recoverable under the due process of law"**.
- [17.03.05](#) 'reply' from the Law Society: "...read through your letter and **do not believe that I can add anything further over and above what is cited in my letter of [8 February 2005](#).**"

(Discussed on the [CKFT page](#) ; [summary of my complaint # 2.5](#))

YEP! That was endorsed by the [then Legal Services Ombudsman, Zahida Manzoor CBE](#)... who, likewise, fell over backwards for the others: [summaries under header # 3](#).

[Portner and Jaskel](#)

- In my [28.02.07](#) letter of complaint to the Law Society against Portner, I raised (among other) the [16.02.07](#) threat of "bankruptcy and forfeiture".
- The [30.03.07](#) 'reply' from the Law Society:
"I have considered the information that you have provided and I am **unable to conclude that there has been any breach of the rules in this matter.**"
"Portner & Jaskel are clearly **acting on the instructions of their client in this matter**"
"**They are entitled to take a robust approach and advise you of the steps that their client is able to take if payment is not made**"
"**There is no misconduct in them doing so and I do not consider that the letter is either threatening or that it amounts to harassment.**" [YES! That's what it says!]
"I will not be pursuing this issue further"

(Discussed under [Portner # 4 & 5](#), and summarised under [summary # 2.6](#)).

Got the message?

AVOID RESIDENTIAL LEASEHOLD PROPERTY LIKE THE PLAGUE!...

...(thereby also sparing you the life-destroying trauma of dealing with Her Majesty's corrupt [police](#), [courts and tribunals \(kangaroo courts\)](#), [councils](#), the so-called '[independent regulators](#)' ([Overview # 7](#)), etc., etc., etc.,...

...from their treating you like a piece of dirt, a non-entity who does not have the right to have rights, there to be used, abused and tormented at will – BY ALL)

(NB: Don't be fooled by those who try to sell you the concept that "a long lease is better". Whether it is 99 years, or 999 years (as talked about by some) - **it is STILL a lease** i.e. you **still** do

not have control over your home – as you are **still** at the mercy of, more often than not, criminal landlords and their equally criminal ‘advisors’...

...– all of whom know that, in this laissez-faire island-Kingdom that does not give a damn about ‘the little people’, they do *not* have to fear sanction of *any* kind – as amply demonstrated by [the outcome of my 50+ legitimate ‘cries for help’ and complaints](#)).

Endorsed by Keith Hill

<http://www.legislation.gov.uk/uksi/2004/3086/signature/made>

Signed by authority of the First Secretary of State - [Keith Hill](#) - Minister of State, Office of the Deputy Prime Minister - 22nd November 2004



This is the **same** Keith Hill who, one year prior to endorsing this Statutory Instrument - stated on a BBC Radio 4 programme that

"the Commonhold and Leasehold Reform Act does not adequately address the serious problems posed to leaseholders by the continued presence of forfeiture on the statute books.

We didn't probably appreciate quite how significant this was for some of our citizens."

= Like ALL the rest of the British Establishment (ruling class) ([book reference](#)) ([My Diary # 2.5](#)): dripping with absolute hatred of ‘the little people’, perceiving them as ‘things’, there to be used and abused at will by the Establishment, its hangers-on and cronies - to satisfy their perceived entitlement to unlimited self-enrichment at the expense of society at large.

Of course, in the Establishment’s all too familiar revolving door practice (³), **Keith Hill** was rewarded for his unfailing assistance to the sacrosanct landlord lobby – by being “**appointed as the independent regulator for the Association of Residential Managing Agent’s (ARMA)**” (⁴)

(ARMA is one of the bodies that criminally endorses e.g. [Martyn Gerrard](#) - as can be seen from its headed paper – captured in [this document](#) which contains my assessment of the claims of “**being regulated**”).

Explanatory Note

<http://www.legislation.gov.uk/uksi/2004/3086/note/made>

(This note is not part of the Regulations)

Section 167(1) of the Commonhold and Leasehold Reform Act 2002 prevents a landlord under a long lease of a dwelling from exercising a right of re-entry or forfeiture for failure by a tenant to pay an

³ E.g. [Private Eye](#), issue 1426, 2-15Sep16 (from pg 19)- “**Public servants, private paydays – How ministers and mandarins make life after government pay – a Revolving Door Special**” – by Richard Brooks and Solomon Hughes

⁴ E.g. As Private Eye wrote (previous reference above): “...**the revolving door creates the uniformity of thinking between gamekeeper and poacher, purchaser and provider or even regulator and the regulated...**”

amount consisting of rent, service charges or administration charges (or a combination of them) unless the unpaid amount exceeds the prescribed sum or consists of, or includes, an amount which has been payable for more than a prescribed period.

Regulation 2 of these Regulations, which apply only in relation to dwellings in England, prescribes the sum of £350 and a period of three years.

A regulatory impact assessment of the implementation of section 167 in the form that is the subject of these Regulations, and in other forms, was included in a Consultation Paper issued by the Office of the Deputy Prime Minister in October 2002. [= [Prescott](#)]

A copy may be accessed at www.odpm.gov.uk or obtained from Leasehold Reform Branch, Office of the Deputy Prime Minister, Zone 2J6, Eland House, Bressenden Place, London SW1E 5DU (Telephone: 020 7944 3462). [NB: These details are no longer valid]