

UPPER TRIBUNAL (LANDS CHAMBER)



LC-2023-000418
LC-2023-418

Parties are encouraged to make use of the Tribunal's electronic filing facility, CE-File, to file documents with the Tribunal in this case; further information is available at: [https://www.judiciary.uk/wp-content/uploads/2021/07/Practice-Note-on-CE-filing-Lands-Chamber-17.6.21 .pdf](https://www.judiciary.uk/wp-content/uploads/2021/07/Practice-Note-on-CE-filing-Lands-Chamber-17.6.21.pdf)

TRIBUNALS, COURTS AND ENFORCEMENT ACT 2007

AN APPLICATION FOR PERMISSION TO APPEAL AGAINST A DECISION OF THE FIRST TIER TRIBUNAL (PROPERTY CHAMBER) UNDER S.11 OF THE TRIBUNALS COURTS AND ENFORCEMENT ACT 2007

Applicants: LDC (Ferry Lane) GP3 Limited

Property: Flat 201 and 601 North Lodge, Lebus Street, London, N17 9FQ

Decision of the First Tier Tribunal (Property Chamber) dated 11 May 2023

Permission to appeal is **GRANTED** for the following reasons:

1. The applicant seeks permission to appeal the decision of the First-tier Tribunal to make a rent repayment order against it, and to appeal the quantum of the order.
2. There is a realistic prospect of a successful appeal on both grounds and permission is granted.

The following directions shall apply to the determination of this appeal

3. The applicant's application for permission to appeal may stand as its appellant's notice and grounds of appeal.
4. If Jinran Wong, Shrodda Goswani, Callum Haynes, Jack Bedford, Sophie Newman and Valentina Garro want to participate in the appeal as respondents, they must send a respondent's notice to the Tribunal and to **25 August 2023**. Their representations made in response to the application for permission to appeal shall stand as their grounds of opposition.
5. Their application for permission to cross-appeal, and the cross-appeal if permission is granted, shall be heard at the hearing of the appeal.
6. The appeal will be a review of the decision of the first-tier tribunal and will be conducted under the Tribunal's standard procedure.

7. By **25 August 2023** the parties to the appeal shall provide the Tribunal with details of any dates during the period from January to March 2024 which the Tribunal should avoid when listing the appeal for a final hearing (which will take place at [the Royal Courts of Justice, London WC2) and is provisionally estimated to last not more than one day).
8. By a date six weeks before the hearing the parties shall agree which of the documents provided to the first-tier tribunal should be included in the hearing bundle for the appeal. Any document which either party wishes to refer to which is relevant to the issues for which permission has been given shall be included together with a copy of the first-tier tribunal's decision, its refusal of permission to appeal, and the subsequent appeal documents.
9. The appellant is to prepare the bundle, indexed and paginated, in electronic and hard copy, the hard copy to be double-sided. By a date 7 days before the hearing the appellant shall file the electronic copy, and lodge one hard copy of the agreed hearing bundle with the Tribunal, and send the electronic copy and one hard copy to the respondents.
10. Not later than 7 days before the date fixed for the hearing a legally represented party shall, and an unrepresented party may, provide to the Tribunal and to the other parties a skeleton argument identifying the points which they wish to argue on the appeal together with copies of any authorities to which they intend to refer. Skeleton arguments should be provided electronically in Word format.
11. The parties may apply for further directions if required.

Upper Tribunal Judge Elizabeth Cooke
28 July 2023