

CENTURY HOUSE RESIDENTS' ASSOCIATION

24 Century House
245 Streatham High Road
London SW16 6ER.

Ref.: CHRA0581

18 December 2001

Dear leaseholder,

Minutes of CHRA meeting of 23 October; subscription request; letter of 24 October from Cambridge Property Services ("CPS")

Please find attached minutes of our meeting of 23 October. I apologise for their late delivery – work has kept me busy and I've been ill.

The key decision of the meeting was that we should seek to apply to the Leasehold Valuation Tribunal ("LVT") for the appointment of new managers. To help fund this, we are asking members for a further subscription of £100. If, for a few hundred pounds each, new managers can be installed and we can restore our block to a decent state of repair then our "quality of life" and the value of our properties will improve significantly. Please complete the attached form and send your contribution to Lesley Stuart, Flat 8.

We have formed a sub-committee to see through the management application. The sub-committee met for the first time a few weeks ago and agreed to write to Comptons, our solicitors, to outline our case and ask their advice on how to make the application. We also agreed that it would be best to be represented by solicitors at a LVT hearing: obviously this will cost more than if we represent ourselves but we believe our chances of success will be better and we want to get this right.

Some comments on CPS's letter of 24 October which arrived just after our meeting:

- a) Why is that we have only now received accounts for the year ending June 2000 (and the y/e June 2001) and why has there been a lack of management since around that time? CPS are surely not blaming CHRA for this? Why are we billed for management which has patently been lacking?
- b) Originally CPS informed us they had instructed that work on the Dolphin telecom base station cease. That's also what they told Keith Hill, our MP. Work *did* continue though. Now they seem to have changed their story and say that they instructed that the base station not be activated. That's different; is it to better fit what took place? And, if it is, how do they explain the fact that representatives of Dolphin still came to commission the base station (though, fortunately, were intercepted and persuaded to leave)? ... CHRA made very strenuous effort in pursuing planning irregularities with Lambeth, the local planning authority, with result that Lambeth decided that the base station was unauthorised. Was it not our own efforts rather than the efforts of the freeholder or their agents which prevented the base station from being activated? ... There are still telecom issues to resolve (health concerns remain; the presence of the base stations devalues our flats; there is no service charge contribution on behalf of the telecom companies; building works are made more difficult).
- c) This is the first we've heard of the results of the consultation exercise that took place in June 2000. Should not the results of the consultation be published - we should like the opportunity to form our own view of the results.

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- d) CPS seem keen to denigrate CHRA – is this because they mismanage and we are successful at exposing that? – and say they will place greater emphasis on consultation with individual flat owners. CHRA currently represents 22 of 33 leaseholders at Century House. Our position is that leaseholders have chosen to be represented by CHRA as by acting collectively they will have a more effective voice and can better tackle mismanagement (this does not mean that individuals can't raise issues directly – *they can*). Further, as CHRA is a recognised Residents' Association, it has legal rights conferred on it which are in addition to those of individual leaseholders.

Our feeling is that the cost of many service charge items is unreasonable. We shall ask to inspect the documents which support the accounts provided in order that we can better understand what we're being charged for and can assess the reasonableness of charges. We may then apply to the LVT to determine reasonableness (though we would first seek to negotiate with the Freeholder). For the time-being, our advice to leaseholders is:

- a) Check that the figures provided to you are correct. We can see, for example, that service charge percentages (the percentage of the service charge for which each flat is responsible) are incorrect as they are given to four decimal places (3.4696 in my case) whereas they should be two decimal places (3.47). Check that your opening balance is correct and that previous payments are credited;
- b) Pay for any ground rent owing;
- c) Make a partial payment contribution towards service charges – many charges we feel are unreasonable (e.g. for management, for lift maintenance) or may on inspection be seen to be unreasonable (e.g. perhaps for lift work) but certainly contributions towards insurance, electricity, entryphone hire and cleaning will be owing. To protect yourself and preserve your rights, we advise that you tell CPS that: "This payment is made without prejudice and I/we reserve my/our right to challenge the reasonableness of charges." – do this both in a covering letter and on the back of cheques/bankers drafts.

For too long CHRA has relied on the efforts of one individual – your secretary. This is unfair and unhealthy. The problems at Century House affect us all and I believe we should all contribute as far as we are able to resolve them. I am assisted by Committee members John Bradley and David Hoon and I am pleased that Ian Boyd and Robert MacCorgarry have joined the sub-committee to pursue the management application. Lesley Stuart is looking after membership and subscriptions. Gareth Mitchell will organise, if we are allowed to do it, a general clean-up and some internal redecoration. Toby French looks after changing light bulbs and helps out generally. But we need much more help – with the accounts inspection and the assessment of the reasonableness of charges, with the clean-up exercise and other things. If you can assist in any way, please volunteer.

Finally, if you can recommend either an electrician or someone who can lay tiles (or both) then Toby French (Flat 6; tel.: 020-8677-1108) would like to know.

Yours sincerely,

Angus French, Secretary.