



**FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER  
(RESIDENTIAL PROPERTY)**

**Case Reference** : CHI/00MW/OAF/2021/0024 - H00NI078

**Property** : 5A Hill Street, Sandown, IOW PO36 9DD

**Applicant** : Michael John Taylor

**Representative** : Parnalls Solicitors

**Respondent** : The Estate of Sir Henry Oglander and  
Charles Cooper (Missing)

**Type of Application** : Section 27 Leasehold Reform Act 1967  
(Missing Landlord)

**Tribunal Member(s)** : D Banfield FRICS  
Regional Surveyor

**Date of Decision** : 11 October 2021

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DECISION

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**The Tribunal determines that the price to be paid for the freehold interest is £116.00**

**The Tribunal determines that the amount of unpaid pecuniary rent (if any) payable for the property up to the date of the proposed conveyance is nil.**

## **Background**

1. By an Order of Judge Tildesley OBE sitting as a County Court Judge exercising the jurisdiction of a District Judge at Havant Justice Centre dated 19 August 2021 the Tribunal is required to determine the price to be paid for the freehold interest.
2. Judge Tildesley OBE sitting as a Tribunal Judge directed that the application be dealt with on the papers without a hearing and that an electronic bundle including a valuer's report complying with certain requirements was to be submitted.
3. The bundle was duly submitted containing a valuation report from Shaun R Woolford MBA BSc(Hons) Dip Proj Man MRICS dated 24 September 2021.
4. An inspection of the property has not been made.

## **The Lease**

5. The site is identified on the HM Land Registry plan edged red under title number IW34042 and is held by way of a lease between Sir Henry Oglander and Charles Cooper for a term of 1000 years from 11 October 1887 at a rent of £8 per annum.

## **The Law**

6. Section 27(5) of the Act provides:  
*The appropriate sum which in accordance with Section 27(3) of the Act to be paid in to Court is the aggregate of:*
  - a. *Such amount as may be determined by (or on appeal from) the appropriate Tribunal to be the price payable in accordance with Section 9 above; and*
  - b. *The amount or estimated amount (as so determined) of any pecuniary rent payable for the house and premises up to the date of the Conveyance which remains unpaid.*
7. Section 9 of the Act sets out in detail the assumptions to be made and the procedure to be followed in carrying out the valuation. The effect of Section 27(1) is that the valuation date is the date on which the application was made to the Court.
8. There are various bases set out in Section 9 of the Act and the Tribunal determines that the appropriate basis is in Subsection 9(1) being that on 31 March 1990 the Rateable value of the house and premises was not above £500.

## **The Premises**

The property comprises a single storey dwelling constructed circa 1955. The accommodation comprises an entrance hall, living room, kitchen 2 bedrooms and bathroom plus a garage. The area is 94sq.m..

## Evidence and Decision

9. In his valuation report Mr Woolford has determined that the value for the purposes of Section 9 of The Act is £116.00.
10. Mr Woolford made his determination on an open market value of the existing property of £280,000 and a site value of £150,000. He does not attempt to provide a value for the reversion but given that it is some 800 years plus this is of little consequence. He gives a rounded value for the reversion of £1.00
11. The rent payable during the term is £8 per annum which he capitalises at a 7% yield arriving at the rounded sum for the term of £115.00.
12. The combined value of term and reversion is therefore £116.00
13. Mr Woolford bases his open market value on the sale of five bungalows in Sandown with values ranging between £251,000 and £290,000.
- 14. The Tribunal accepts Mr Woolford' valuation as a fair reflection of the price and determines that the price to be paid for the freehold interest is £116.00.**
15. The Tribunal determines that the amount of unpaid pecuniary rent (if any) payable for the property up to the date of the proposed conveyance is nil.

D Banfield FRICS

11 October 2021

### RIGHTS OF APPEAL

1. A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application by email to [rpsouthern@justice.gov.uk](mailto:rpsouthern@justice.gov.uk) to the First-tier Tribunal at the Regional office which has been dealing with the case.
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
3. If the person wishing to appeal does not comply with the 28 day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28 day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.

4. The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.