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| First tier Tribunal Property Chamber (Residential Property) | **Ref no.** (for office use only) |
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| **Application for a determination as to liability to  pay an administration charge or for the variation of a fixed administration charge**  **Schedule 11 to the Commonhold and Leasehold Reform Act 2002 (as amended by section 131 Housing and Planning Act 2016)** | |
| **It is important that you read the notes below carefully before you complete this form.**  This is the correct form to use if you want to ask the Tribunal **either**   1. to make an order under paragraph 3 of schedule 11 to the Commonhold and Leasehold Reform Act 2002 varying a **fixed** administration charge   **OR**   1. to make a determination, under paragraph 5 of schedule 11 as to whether an administration charge is payable and if so, the amount payable.   If the Tribunal finds that an administration charge is payable, it can also determine:   * the person by whom it is payable * the person to whom it is payable * the amount which is payable * the date at or by which it is payable   (See further the Note to section 6 of this form).  **A fee is payable for this application (see section 14 for Help with Fees).** The fees are set out in this form.  Applications should be sent as a Microsoft Word document by **email** to the relevant regional tribunal address shown in the Annex to this form. You must also send by email **the documents listed in section 14 of this form**. If you cannot access email or find someone to assist you in lodging your application by email, then a paper application will be acceptable although there may be a delay in dealing with this. Sending an application on paper will not be suitable in urgent cases.  You can now pay the **the fee (if applicable) by an on-line banking payment or by cheque/postal order enclosed with the application form.**  **If you want to be sent online banking payment details by email, please tick this box**    Please make sure a copy of the application is served on the other party/parties to the application. If you are unable to serve a copy on the other party/parties, please bring this to the tribunal’s attention in the covering email or if sending by post in a covering letter.  **Please do not send any other documents**. When further evidence is needed, you will be asked to send it in separately.  **If you have any questions about how to fill in this form, the fee payable, or the procedures the Tribunal will use please contact the appropriate regional office.**  **If you are completing this form by hand please use BLOCK CAPITAL LETTERS.** | |
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| 1. **DETAILS OF APPLICANT(S)** | | | | | | | | | | | | | | | | | |
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|  | Address for correspondence (*if different from above*): | | | | | | | | | | | | | | | |  |
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|  | Representative name and address, and other contact details: Where details of a representative have been given, all correspondence and communications will be with them until the Tribunal is notified that they are no longer acting for you. | | | | | | | | | | | | | | |  | |
|  | Name: | | |  | | | | | | | | | | | |  | |
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|  | Reference no. (if any) | | | |  | | | | | | | | | | |  | |
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| 1. **ADDRESS (including postcode) of SUBJECT PROPERTY (if not already given)** | | |
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| 1. **BRIEF DESCRIPTION OF PROPERTY (*e.g., 2-bedroom flat in purpose built block*)** | | |
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| 1. **DETAILS OF RESPONDENT (S) the person against whom an applicant seeks determination from the tribunal – this will not be the landlord’s managing agent unless they are a party to the lease. If there are multiple respondents, please continue on a separate sheet.** | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | Representative name and address, and other contact details: Where details of a representative have been given, all correspondence and communications will be with them until the Tribunal is notified that they are no longer acting for you. | | | | | | | | | | | | | | | | | | | | | | | |  | | |
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|  | Reference no. (if any) | | | | |  | | | | | | | | | | | | | | | | | | |  | | |
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| 1. **ADDRESS OF LANDLORD (if not given above)** | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | Reference no. for correspondence (if any) | | | | | | | | |  | | | | | | | | | | | | | | | |  | |
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| 1. **ADMINISTRATION CHARGES TO BE CONSIDERED BY THE TRIBUNAL** | | | | |
| Please provide the following information on the attached sheet entitled **“ADMINISTRATION CHARGE DETAILS”** (page 9) or provide the details in a separate document. | | | | |
| 1. The date of the lease; | | | | |
| 1. The clauses under which the administration charge is demanded; | | | | |
| 1. The grounds of the claim; | | | | |
| Complete a separate sheet for each administration charge challenged. | | | | |
| Please enclose the following documents with the application form: | | | | |
| 1. Copies of the relevant lease(s); | | | | |
| 1. Any demand(s) for the administration charge; | | | | |
| 1. If you wish to ask the Tribunal to vary the administration charge clause in the lease, a draft of the variation. | | | | |
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| **Note**  An administration charge is an amount payable by a tenant of a dwelling:   1. In connection with the grant of an approval under the lease or an application for such an approval; 2. In connection with the provision of information or documents by, or on behalf of, the landlord or some other party to the lease; 3. In respect of a failure to make a payment by the due date to the landlord or another party to the lease; 4. In connection with a breach (or alleged breach) of a covenant or condition in the lease.   Administration charges are either fixed or variable. A fixed charge is an amount, which is either specified in the lease or calculated in accordance with a formula specified in the lease. Any charge, which is not so specified or calculated, is a variable charge. The Tribunal’s power to vary an administration charge applies only to a fixed charge. An application for variation of such a charge may be made on the grounds that (a) any charge specified in the lease is unreasonable or (b) any formula specified in the lease for calculation of the charge is unreasonable. | | | | |
| 1. **OTHER APPLICATIONS** | | | | |
|  | Do you know of any other cases involving either: (a) the same or similar issues about an administration charge as in this application; or (b) the same landlord or tenant or property as in this application? If so, please give details. | | |  |
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| **8. IMPORTANT – S20C LANDLORD AND TENANT ACT 1985 – APPLICATION FOR AN ORDER LIMITING PAYMENT OF LANDLORD’S COSTS** | | | | | |
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| Some leases allow a landlord to include costs incurred in connection with proceedings before the Tribunal as part of a service charge. Section 20C of the Landlord and Tenant Act 1985 gives the Tribunal power, on an application by a tenant, to make an order that such costs are not to be included in the amount of any service charge payable by the tenant or any other persons specified in the section 20C application.  If you are a tenant do you wish to make a section 20C application?  Yes  No  If you have answered “Yes” then please specify any other persons to be included in the section 20C application by providing their names and addresses in the box immediately below. Please continue on a separate sheet, if necessary. | | | | |  |
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|  | **Note:** Even if you have applied for an order under section 20C the Tribunal may refuse to make one. | | | |  |
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| **9. IMPORTANT – PARAGRAPH 5A OF SCHEDULE 11 – APPLICATION FOR AN ORDER LIMITING PAYMENT OF LANDLORD’S COSTS** | | | | | |
| Paragraph 5A of Schedule 11 to the Commonhold and Leasehold Reform Act 2002 (‘the 2002 Act’) provides that a tenant may apply to the Tribunal for an order which reduces or extinguishes the tenant’s liability to pay an “administration charge in respect of litigation costs” ie contractual costs in a lease. | | | | | |
| Do you want to make an application under Paragraph 5A of Sch11  to the 2002 Act? | | | | Yes  No |  |
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| **10. CAN WE DEAL WITH YOUR APPLICATION WITHOUT A HEARING?** | | | | | |
| If the Tribunal thinks it is appropriate, and all the parties and others notified of their right to attend a hearing consent, it is possible for your application to be dealt with entirely on the basis of written representations and documents and without the need for parties to attend and make oral representations. (‘A paper determination’). | | | | | |
| Please let us know if you would be content with a paper determination if the Tribunal thinks it appropriate. | | | | Yes  No |  |
| **Note:** Even if you have asked for a paper determination the Tribunal may decide that a hearing is necessary. Please complete the remainder of this form on the assumption that a hearing will be held. Where there is to be a hearing, a fee of £200 will become payable when you receive notice of the hearing date. | | | | | |
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| **11. TRACK PREFERENCES** | | | |
|  | We need to decide whether to deal with the case on the Fast Track or the Standard Track (see Guidance Note for an explanation of what a track is). Please let us know which track you think appropriate for this case. | Fast Track  Standard Track |  |
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|  | Is there any special reason for urgency in this case? | Yes  No |  |
|  | If Yes, please explain how urgent it is and why: | |  |
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|  | **Note**  The Tribunal will normally deal with a case in one of three ways: on paper (see section 9 above) or ‘fast track’, or ‘standard track’. The fast track is designed for cases that need a hearing but are very simple and will not generate a great deal of paperwork or argument. A fast track case will usually be heard within 10 weeks of your application. You should indicate here if you think your case is very simple and can be easily dealt with. The standard track is designed for more complicated cases where there may be numerous issues to be decided or where for example, a lot of documentation is involved. A standard track case may involve the parties being invited to a Case Management Conference which is a meeting at which the steps that need to be taken to bring the case to a final hearing can be discussed. | |  |
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| **12. AVAILABILITY** | | | | |
| If there are any dates or days we must avoid during the next four months (either for your convenience or the convenience of any expert you may wish to call) please list them here. | | | | |
| Please list the dates on which you will NOT be available: | | | |  |
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| **13. VENUE REQUIREMENTS** | | | | |
| Please provide details of any special requirements you or anyone who will be coming with you may have (e.g. the use of a wheelchair and/or the presence of a translator): | | | | |
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| Applications handled by the London regional office are usually heard in Alfred Place, which is fully wheelchair accessible. Elsewhere, hearings are held in local venues which are not all so accessible and the case officers will find it useful to know if you or anyone you want to come to the hearing with you has any special requirements of this kind. | | | | |

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| **14. CHECKLIST** | | | | | | |
| **Please check that you have completed this form fully. The Tribunal will not process your application until this has been done. Please ensure that, if relevant, the following are enclosed with your application and tick the appropriate box to confirm:** | | | | | | |
| A copy of the lease (s) is/are enclosed. | | | | |  | |
| A copy of a demand (s) for the administration charge (s) is/are enclosed | | | | |  | |
| A draft of the variation sought (if applicable) is enclosed.  **EITHER** | | | | |  | |
| A crossed cheque or postal order made out to HM Courts and Tribunal Service for the application fee of £100 (if applicable) is enclosed. **Please write your name and address on the back of the cheque or postal order. Please also send a paper copy of your application with your cheque or postal order, regardless of whether you have already emailed the application.**  **OR**  You have ticked the box at the top of this form to say you want the relevant regional tribunal office to send you details on how to pay the application fee of £100 by on-line banking. **The unique payment reference the tribunal office supplies MUST be used when making your on-line banking payment.**  **DO NOT send cash under any circumstances. Cash payment will not be accepted.**  **Please note where there is to be a hearing, a fee of £200 will become payable by you when you receive notice of the hearing date.** | | | | |  | |
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**Help with Fees**

If you think you may be entitled to a reduced fee, the guide EX160A ‘Apply for help with court, tribunal and probate fees’ outlines how you can submit an application for Help with Fees.

You can submit your Help with Fees application online at [www.gov.uk/help-with-court-fees](http://www.gov.uk/help-with-court-fees) or by completing the form EX160 ‘Apply for help with fees’. You can get a copy of the ‘Apply for help with fees’ form online at www.gov.uk/government/publications/apply-for-help-with-court-and-tribunal-fees or from your regional tribunal office.

If you have completed an online application for Help with Fees please enter the reference number you have been given here.

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If you have completed form EX160 “Apply for Help with Fees” it must be included with your application.

The ‘Apply for help with fees’ form will not be copied to other parties.

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| **15. STATEMENT OF TRUTH** | | | | |
| **The statement of truth must be signed and dated.**  **I believe that the facts stated in this application are true.** | | | | |
| **Signed:** |  | Dated: |  |  |
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| **ADMINISTRATION CHARGE DETAILS** | | | | | | |
| **Please use the space below to summarise the ground(s) of your application.** | | | | | | |
| You will be given an opportunity later to give further details of your case and to supply the Tribunal with any documents that support it. At this stage you should give a clear outline of your case so that the Tribunal understands what your application is about. Please continue on a separate sheet if necessary. | | | | | | |
| ***Please pick one of the following:*** | | |  |  | | |
| This is an application for a determination of the liability to pay an administration charge | | | | |  | |
| This is an application for the variation of a **fixed** administration charge | | | | |  | |
| ***Now complete the rest of this form:*** | | |  | | |  |
| The date and term of the lease (s): | |  | | | |  |
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|  | The relevant part(s) of the lease (s): |  | | | |  |
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|  | The grounds for the application: |  | | | |  |
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|  | A draft of the variation sought (if applicable): | | | | |  |
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| **ANNEX: Addresses of Tribunal Regional Offices** | | | |
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|  | **NORTHERN REGION**  HM Courts & Tribunals Service  First-tier Tribunal (Property Chamber) Residential Property, 1st Floor, Piccadilly Exchange, Piccadilly Plaza, Manchester, M1 4AH | **Telephone:** 01612 379491  **Fax:** 01264 785 128  **Email address**: [RPNorthern@justice.gov.uk](mailto:RPNorthern@justice.gov.uk) | |
|  | **This office covers the following Metropolitan districts:** Barnsley, Bolton, Bradford, Bury, Calderdale, Doncaster, Gateshead, Kirklees, Knowsley, Leeds, Liverpool, Manchester, Newcastle-upon-Tyne, Oldham, Rochdale, Rotherham, St. Helens, Salford, Sefton, Sheffield, Stockport, Sunderland, Tameside, Trafford, Tyneside (North & South), Wakefield, Wigan and Wirral.  **It also covers the following unitary authorities:** Hartlepool, Middlesbrough, Redcar and Cleveland, Darlington, Halton, Blackburn with Darwen, Blackpool, Kingston-upon-Hull, East Riding of Yorkshire, Northeast Lincolnshire, North Lincolnshire, Stockton-on-Tees, Warrington and York.  **It also covers the following Counties:** Cumbria, Durham, East Cheshire, Lancashire, Lincolnshire, Northumberland, North Yorkshire and WestCheshire. | | |
|  | **MIDLAND REGION**  HM Courts & Tribunals Service  First-tier Tribunal (Property Chamber) Residential Property, Centre City Tower, 5-7 Hill Street, Birmingham, B5 4UU | | **Telephone:** 0121 600 7888  **Fax:** 01264 785 122  **Email address**: [RPMidland@justice.gov.uk](mailto:RPMidland@justice.gov.uk) |
|  | **This office covers the following Metropolitan districts:** Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton.  **It also covers the following unitary authorities:** Derby, Leicester, Rutland, Nottingham, Herefordshire, Telford and Wrekin and Stoke-on-Trent.  **It also covers the following Counties:** Derbyshire, Leicestershire, Nottinghamshire, Shropshire, Staffordshire, Warwickshire and Worcestershire. | | |
|  | **EASTERN REGION**  HM Courts & Tribunals Service  First-tier Tribunal (Property Chamber) Residential Property, Cambridge County Court, 197 East Road  Cambridge, CB1 1BA  DX 97650 Cambridge 3 | | **Telephone:** 01223 841 524  **Fax:** 01264 785 129  **Email address**: [RPEastern@justice.gov.uk](mailto:RPEastern@justice.gov.uk) |
|  | **This office covers the following unitary authorities:** Bracknell Forest, West Berkshire, Reading, Slough, Windsor and Maidenhead, Wokingham, Luton, Peterborough, Milton Keynes, Southend-on-Sea and Thurrock.  **It also covers the following Counties:** Bedfordshire, Berkshire, Buckinghamshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, Northamptonshire, Oxfordshire and Suffolk. | | |
|  | **SOUTHERN REGION**  HM Courts & Tribunals Service  First-tier Tribunal (Property Chamber) Residential Property, Havant Justice Centre, The Court House, Elmleigh Road, Havant, Hants, PO9 2AL | | **Telephone:** 01243 779 394  **Fax:** 0870 7395 900  **Email address**: [RPSouthern@justice.gov.uk](mailto:RPSouthern@justice.gov.uk) |
|  | **This office covers the following unitary authorities:** Bath and Northeast Somerset, Bristol, North Somerset, South Gloucestershire, Bournemouth, Plymouth, Torbay, Poole, Swindon, Medway, Brighton and Hove, Portsmouth, Southampton and the Isle of Wight.  **It also covers the following Counties:** Cornwall and the Isles of Scilly, Devon, Dorset, East Sussex, Gloucestershire, Hampshire, Kent, Somerset, Surrey, West Sussex and Wiltshire. | | |
|  | **LONDON REGION**  HM Courts & Tribunals Service  First-tier Tribunal (Property Chamber) Residential Property, 10 Alfred Place, London WC1E 7LR  DX 134205 Tottenham Court Road 2 | | **Telephone:** 020 7446 7700  **Fax:** 01264 785 060  **Email address**: [London.RAP@justice.gov.uk](mailto:London.RAP@justice.gov.uk) |
|  | **This office covers all the London boroughs.** | | |

The Ministry of Justice and HM Courts and Tribunals Service processes personal information about you in the context of tribunal proceedings.

For details of the standards we follow when processing your data, please visit the following address <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

To receive a paper copy of this privacy notice, please call 0300 123 1024/ Textphone 18001 0300 123 1024.