

DIRECTIONS FOR COLLECTIVE ENFRANCHISEMENT UNDER THE LEASEHOLD REFORM, HOUSING AND URBAN DEVELOPMENT ACT 1993

1. The landlord must by **15 September 2008** submit a draft transfer and leaseback (if applicable) to the tenant for approval.
2. The tenant must by **29 September 2008** return the draft transfer and leaseback (if applicable) to the landlord with any amendments shown in red. Within a further week the parties must confirm in writing that the documents are agreed or must exchange a list of the terms of the documents and any other legal issues remaining in dispute.
3. The parties' valuers must by **13 October 2008** have exchanged valuations and met to narrow the issues in dispute.
4. During week commencing **20 October 2008** each party must return to the tribunal the attached listing questionnaire showing the availability of the parties' advocates and witnesses during the period of **24 November 2008 to 16 January 2009**. Any representations relating to the listing of the case should be set out in the questionnaire.
5. Within 3 weeks of receipt of the completed listing questionnaire the tribunal will list the case for hearing. The tribunal will immediately notify the parties of the hearing date.
6. Unless notified otherwise, all London LVT hearings will take place at **10 Alfred Place, London, WC1E 7LR**. The tribunal may wish to inspect the property. Any such inspection will take place immediately following the hearing or at an alternative time and date with the consent of the parties and by arrangement at the hearing.
7. The parties must agree a bundle of documents relevant to the outstanding issues. The bundle must be indexed with numbered pages and the documents must, so far as possible, be in chronological order. The applicant must prepare the bundle, and send 1 copy to each respondent and 4 copies to the tribunal at least **2 weeks** before the date of the hearing. The bundle must include copies of the following:-
 - ◆ The application
 - ◆ These directions
 - ◆ The claim notice and counter notice
 - ◆ Up to date office copies of the entries at H M Land Registry of the freehold and all leasehold titles, with plans
 - ◆ Any intermediate leases
 - ◆ A specimen lease and lease plan of one of the tenant's flats and where there is more than one type of lease a specimen of each such lease and schedule of relevant variations
 - ◆ The draft contract and/or transfer and leaseback (if applicable) with any disputed terms highlighted in red
 - ◆ Each parties' valuation report with full details of all comparables and a memorandum of agreed facts
 - ◆ If the leases reserve differing ground rents, a table of the ground rents reserved by each lease should be included in the valuation reports
 - ◆ A brief summary of the issues in dispute to be determined by the tribunal
8. Each party having been given the opportunity to make representations as to the hearing date it will be postponed only in exceptional circumstances. Any request for a postponement must be made either at a postponement hearing or at the start of the first day that the case is listed for hearing in accordance with the tribunal's guidance.

9. No written communications should be sent to the tribunal unless a copy is also sent to the other party(ies) and this is so marked on each communication.

If any or all of the parties fail to comply with these directions the tribunal may in any event determine the issues in dispute and value the interests to be transferred on the basis of such information and evidence as is available. In the case of the applicant non-compliance could result in dismissal of the application in accordance with regulation 11 of the Leasehold Valuation Tribunal (Procedure) (England) Regulations 2003. Non-compliance could also result in the tribunal making a determination on costs in accordance with its power under Schedule 12 paragraph 10 to the Commonhold and Leasehold Reform Act 2002.

Date: 1 September 2008

LRAP 9/04