

District Judge
West London County Court
43 North End Road
West Kensington
London W14 8SZ

Ms N K-Dit-Rawé
3 Jefferson House
11 Basil Street
London SW3 1AX
Tel:

(Sent special delivery)

25 March 2003

Dear Madam/ Sir

**Your Ref: Claimant No WL203 537 - Steel Services Limited
ACTION TO BE STAYED**

I acknowledge receipt of your notice dated 21 March 2003 (attached) that a charging order hearing, in relation to claim number WL203537 will take place on 4 April 2003. I am baffled by this given the following events – which, I trust, you will agree, warrant that this action against me be stayed:

8 Oct 2002 In a letter dated 8 October 2002, the Leasehold Valuation Tribunal (LVT) informs me that *“The Tribunal has received an application from the landlord regarding the reasonableness of a service charge and you are named in this application as the respondent”* (see attached copy of this application – which I had already attached to my letter to you of 10 December 2002)

29 Oct 2002 I (with other residents) attend the pre-trial hearing.

During the hearing, Mr J.C. Sharma JP FRICS, Chair, tells us that if we pay the service charge demanded before the hearing, then the Tribunal will not be able to do anything. **In other words, Mr Sharma tells us to not pay the service charge until the Tribunal has reached a decision.**

During the course of this pre-trial hearing a number of actions and deadlines are set. These are sent to the residents (see attached copy – which I already sent you as an attachment to my letter of 10 December 2002, as well as covering letter).

10 Dec 2002 I send your Court a (special delivery) letter acknowledging receipt of a Claim Form received on 6 December 2002 in which I **“...bring to your attention the fact the claimant has brought exactly the same action under the Leasehold Valuation Tribunal...”** and I give you the LVT case number (LVT/SC/007/120/02). I also attach supporting documents (see attached)

17 Dec 2002 I send your Court another (recorded delivery) letter with the heading **‘Action to be stayed’** and in which I state: *“The purpose of my attached letter of 10 December 2002 was to report that the same action is being pursued by the same party in two jurisdictions: (1) yours; (2) the Leasehold Valuation Tribunal (case LVT/SC/007/120/02). Consequently, I would like to suggest that **this action through your County Court be stayed...**”* (see attached)

I nonetheless responded to the Claim Form, including my defence – and sent it (by special delivery) to your Court on 17 December 2003.

24 Jan 2003 I receive a letter from your Court stating that *“...you requested that I inform the Court whether the Claimant agrees to the claim being stayed pending the Leasehold Valuation Tribunal hearing”*. I spoke to Mr Umeadi, at your Court, and said that, given the circumstances, I did not see this as an action that I should be taking. In any case, even if I were to do this, given the circumstances, the answer (assuming I received one) would be predictable: “No”.

5 Feb 2003 At the LVT hearing, Mr Paul Staddon, my Counsel, requested an adjournment for the hearing on the grounds that I had not been provided with the necessary information to allow me to determine the reasonableness of the service charge demanded for the major works.

In light of the evidence provided by my Counsel, the Tribunal, chaired by Mrs J.S.L. Goulden, agreed to the adjournment stating that it was "granted in the interest of justice".

6 Feb 2003 The LVT sent a letter, dated 6 February 2003, in which it states, among others: "Following the application for an adjournment made on behalf of Ms Dit-Rawé on the 5th February 2003, the Tribunal agreed an adjournment of the substantive hearing to 9:30am on Thursday 13th March 2003".

It also details actions, including for my surveyor, Mr Brock to prepare a report and send it to the claimant's surveyor, Mr Gale, by 24 February 2003. (See attached)

The Tribunal also informed us that it was allowing for the case to run for two days ie. 13 and 14 March 2003.

13 & 14 Mar 2003 The hearing took place on 13 and 14 March but, was adjourned, part heard, until 28 April 2003 allowing my Counsel a further three-hours cross-examination (see attached my solicitor's letter dated 18 March 2003).

In conclusion, I respectfully reiterate my request: that - in relation to my personal case - the action on 4 April be stayed.

Yours faithfully



N.K. Dit-Rawé

Enclosures

- 1 West London County Court notice, dated 21 March 2003, of a charging order hearing due to take place on 4 April 2003
- 2 Steel Services/Martin Russell Jones application to the LVT, with covering letter dated 8 October 2002
- 3 List of actions with deadline, set by the LVT, and covering letter dated 30 October 2002
- 4 My letter of 10 December 2002 to West London County Court
- 5 My letter of 17 December 2002 to West London County Court
- 6 Letter from West London County Court dated 24 January 2003
- 7 Letter from LVT, addressed to me, dated 6 February 2003
- 8 Part of first page of the letter from Oliver Fisher, my solicitor, to me, dated 18 March 2003

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