



**Osler Donegan Taylor**  
*Solicitors*

Pavilion View, 19 New Road  
Brighton, BN1 1UF  
Tel: 01273 710712  
Fax: 01273 221584

DX 36663 Brighton 2  
www.odt.uk.com

**Mr T Coady**  
3B Sussex Heights  
St Margarets Place  
BRIGHTON BN1 2FQ

**Our Ref: JD/CB/SxHeights**  
**Direct Line (01273) 710716**

**Your Ref:**  
**Date: 04 June 2008**  
**E-Mail: jdonegan@odt.uk.com**

Dear Mr Coady

**LEASE EXTENSIONS – SUSSEX HEIGHTS**

I write to give you a further update in relation to the proposed lease extensions at Sussex Heights.

I am pleased to report that our surveyor, Stewart Gray, has now completed his negotiations with the freeholder's surveyor, Andrew Pridell. The freeholder has come down substantially on the original figures they were seeking. In the case of your flat (Flat 3B) they will agree a premium of **£1,966**. Of this sum £489 would be payable to Sussex Heights (Brighton) Limited ("SHBL") and the balance of £1,477 would be payable to the freeholder.

In addition to the sum of £1,966 you are liable to pay for professional fees and the full total, therefore, breaks down as follows:

	Cost	VAT	Total
Premium payable	£1,966.00	---	£1,966.00
Freeholder's legal costs	£500.00	£87.50	£587.50
Freeholder's valuation fees	£125.00	£21.88	£146.88
ODT's costs	£240.00	£42.00	£282.00
SHBL's legal costs	£100.00	£17.50	£117.50
Stewart Gray's fees	£90.00	£15.75	£105.75
ODT's bank transfer charge	£30.00	£5.25	£35.25
Land Registry fees	£50.00	---	£50.00

Also, Margaret Brisley is seeking a modest voluntary payment of £5 to cover her telephone and administrative costs in co-ordinating the lease extensions for participating leaseholders. I am collecting this on her behalf and will forward it to her as a lump sum.

The total outlay will be £3,290.88. After deducting your £500 payment on account of costs this will leave you with a balance to pay of **£2,790.88**, but if you agree to contribute £5 to Margaret's

costs, then the full total will be **£2,795.88**.

Under the proposals your lease will be extended by 90 years, taking it up to 173 years and you will no longer be required to pay any ground rent. This is in line with your statutory entitlement. The alternative is to go down the formal route of serving a Notice under the legislation and then seeking a determination of the premium from the Leasehold Valuation Tribunal. This is only available to leaseholders that have owned their flats for 2 years or more. If you serve a formal Notice then the Tribunal is likely to fix a lower premium (£1,400-1,700). However the total costs will increase by at least £1,000 so it would be uneconomic to argue over the figures. Furthermore if we settle now then it should be possible to complete your lease extension within 3-4 months whereas if we serve the formal Notice then it could be 9-12 months before the matter is concluded, possibly longer.

I recommend that you accept the freeholder's proposals. I anticipate that the freeholder will only proceed with the voluntary lease extensions if at least 40 flats accept their proposals. Can you confirm, on the attached copy of this letter, whether you wish to proceed? Assuming that you wish to accept the freeholder's proposals then please also complete and return the attached form of authority, to enable me to obtain the Title Deeds for your flat. These will be needed in connection with the lease extension. I enclose a stamped addressed envelope for your reply. Please respond by Monday 30 June at the latest.

I look forward to hearing from you.

Kind regards

Yours sincerely,



**JEREMY DONEGAN**  
**OSLER DONEGAN TAYLOR**

**I WISH/DO NOT WISH (*delete as appropriate*) TO ACCEPT THE FREEHOLDER'S PROPOSALS FOR A LEASE EXTENSION FOR MY FLAT AT SUSSEX HEIGHTS**

**SIGNED.....**

**DATED.....**