



Residents' Association of Canary Riverside
29th Floor
One Canada Square
Canary Wharf
London
E14 5DY

Your ref:
Our ref: LON/00BG/LVM/2016/0020

Date: 12 July 2017

Dear Sirs

RE: Landlord & Tenant Act 1987 - Section 24(9)

PREMISES: Canary Riverside Estate, Westferry Circus, London, E14

The tribunal has received inconclusive correspondence following the Rule 20 Order for the disclosure of the computer and records relating to the above development, and is minded to send this matter up to the Upper Tribunal for resolution.

This tribunal is concerned to note from the Manager's representative that the computer which was handed over by MEL in April 2017 had had all of its information erased and was therefore little use. The tribunal has seen the Dropbox documents, but it is impossible from the various folders to determine whether the information is complete, or as the Manager says, inadequate.

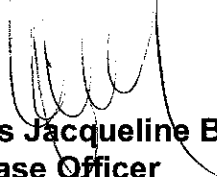
The tribunal has been informed that the Qube Licence Fee was paid for by the Canary Riverside Service Charge and is therefore not the property of MEL, and it is not clear why MEL appears to have inappropriately used the Licence for other properties which did not contribute to the cost.

The terms of the management agreement between CREM and MEL are perfectly clear. MEL is not entitled to be paid the final months' management fee until it has handed over all of the documents, files, receipts etc that are relevant to their management of the Canary Riverside Estate. The tribunal remains concerned that despite the Rule 20 Orders, MEL remains either unwilling or unable to comply.

The tribunal does not consider that a hearing would resolve this issue. The fees that MEL appear to be willing to incur in attending a hearing, in the tribunal's view, would be better spent on removing the non-Canary Riverside information from the Qube System and then handing over the electronic software and data to the Manager. The matter of whether or not MEL should be paid for this work is not a concern of this tribunal. The problem appears to be one of MEL's own creation; had they not mixed other property/transaction details with the Canary Riverside files and not handed over a computer with the hard drive erased, the details required by the manager could have been handed over in April and MEL would have been paid their final month's fees.

This matter will be referred to the Upper Tribunal within 7 days, unless the tribunal hears that MEL has complied with the Orders in full.

Yours faithfully

A handwritten signature in black ink, appearing to read 'J Benjamin', written over the typed name.

Ms Jacqueline Benjamin
Case Officer