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MISSING LANDLORD FLOWCHART

Instruct a surveyor and obtain a VALUATION providing how much the premium is likely to be



FAULT OR NON-FAULT OPTION?

Decide on what option, either fault, not non-fault option you wish to procedure under. With the fault based option there is an evidential burden to meet, you must be in a position to illustrate to the Court that you have been prejudiced by the absence of your landlord. Regardless of the option, the following steps then apply.



Try to LOCATE the current freeholders

- Instruct a tracing agent
- Advertise in the local paper and The Times



APPLICATION to Court to:-

- Dispense with service of the initial notice
- Seek an order transferring the freehold of the Property to you

This Application will involve drafting detailed particulars of claim and a witness statement in the name of at least one Claimant explaining what action has been carried out by the leaseholders in trying to locate the freeholder and detailing how the Claimants are entitled to acquire the freehold. NOTE – if you choose the fault based option, your witness statement must deal with the evidence burden of illustrating that you have been prejudiced by the landlords' absence.



ORDER granted by Court which will be conditional upon the First Tier Property Tribunal determining the premium you will need to pay for



First Tier Tribunal (Property Chamber) DETERMINES THE PREMIUM and you will have to pay it into Court, the Court signs the transfer of the freehold to you on behalf of the missing freeholders. We will seek an order from the Court that your legal costs be deducted from the premium paid into Court.