

**IN THE MATTER OF**  
**49 COTLEIGH ROAD, LONDON NW6 2NN**

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**STATUTORY DECLARATION OF MARGARET TAHA**

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I, **MARGARET TAHA**, of 11 Southdown Road, Bognor Regis, West Sussex PO21 2JS do solemnly and sincerely **DECLARE** as follows:

1. I provide this Declaration in respect of the use of Flats 1-6 at 49 Cotleigh Road, London NW6 2NN ("the Property"). The property comprises six self-contained flats. This declaration relates to these six separate flats in order to provide evidence of the continuous use of these flats over at least the last 4 years covering the relevant period **01.08.2018 - 01.08.2022**.
2. I work as the manager of Metropole Property Rentals Limited of which I am also a Director. Previously I worked for Metropole Properties Ltd. Both of these companies managed 49 Cotleigh Road on behalf of Metropole (Cotleigh Road) Ltd. Farid Shamash who became the freehold owner of the Property on 27<sup>th</sup> September 2013. I first visited the Property in October 2013 when I was working for Metropole Properties Ltd. The property was already converted into 6 no. flats at the time I first inspected. **Exhibit MT1** shows the location plan and floor plans showing the current layout of 49 Cotleigh Road.
3. **Exhibit MT2** shows separate ASTs and Statutory Declarations of Sara Tesfu and Andrew O'Neill (long term tenants) covering the relevant period **01.08.2018 - 01.08.2022** proving 6 separate flats were continually occupied throughout this period. **Exhibit MT3** shows property valuations from 2012 and 2013 with plans, layouts and internal photographs showing 6 separate flats as they were when I first visited the flats. I provide this declaration in support of an application for a Certificate of Lawfulness to confirm that the Property has been in its current use as 6 self-contained flats (Class C3) for more than 4 years and that the use of this Property as such is therefore now lawful.
4. Accurate photographs taken from the outside of the properties showing separate doors are displayed at **Exhibit MT4**. Each of the flats has clearly marked door numbers and their own entrance.

5. I can confirm that behind each door, each of the 6no flats have their own individual bathroom/WC and kitchen, and they are therefore all self-contained (internal photographs of select properties are shown at Exhibit MT5. All 6 flats have been continuously tenanted for at least 4 years from 01.08.2018 to 01.08.2022.
  
6. There is further evidence proving 6 separate, self-contained flats have been rented out during the relevant period and that all of the flats have been in continuous occupation during the relevant period:
  - a. **MT6 - Separate Council Tax bills for the flats;**
  - b. **MT7 - Rental schedules for the flats numbers 1-6;**
  - c. **MT8 - Housing benefit documents for some of the separate flats;**
  - d. **MT9 a, b and c – A range of rental statements by flat; statements of account by year and bank statements showing transactions for each of the flats proving tenancy payments and occupancy during the relevant period;**
  - e. **MT10 - Insurance letters for 6 separate flats;**
  - f. **MT11 - EPC documents for the 6 separate flats;**
  - g. **MT12 - HMO license application dated 09/02/18 from Camden Council.**
  
7. Metropole Properties Ltd acted as managing agent for the Property until April 2017. Metropole Properties Ltd was dissolved in April 2017. Management was then transferred to Metropole Property Rentals Ltd in April 2017. These are two separate limited companies. I worked for both companies and managed 49 Cotleigh Road throughout the relevant period stated in paragraph 1 of this Statutory Declaration.
  
8. Metropole Properties Ltd/ Metropole Property Rentals Ltd have always dealt with the repairs, maintenance or related issues in relation to each of the flats. From my visits to the 6 flats at 49 Cotleigh Road, I can confirm that the internal layout of the flats has not changed since the conversion.
  
9. The flats have all been continuously occupied for over 4 years. The order of occupation for each of the flats is as follows:

### **Flat 1**

This flat has been occupied by Ms Tesfu since 2011 to date on a statutory periodic basis. Statutory declarations from Ms Tesfu is provided. Tenancy agreements dated 26/05/2017 and 26/05/2019 are also provided. Further, rental accounts, statements of account and banking information confirms the statutory periodic nature of this tenancy.

### **Flat 2**

I can also confirm that this flat has been occupied by Andrew O'Neill since January 2010 to date on a statutory period tenancy. A statutory declaration from Mr. O'Neill is provided. Tenancy agreement dated 22/04/2017 is also included in the exhibits. Further, rental accounts, statements of account and banking information confirms the statutory periodic nature of this tenancy.

### **Flat 3**

Tenancy Schedule:

**07.06.2017- 05.05.21** Mr Khalil Tamimi. This was a 6-month AST dated 07.06.2017 (provided) which became a statutory periodic tenancy. The rental accounts, statements of account and banking information confirms the statutory periodic nature of this tenancy.

**05.05.21-31.05.21** During this period the flat was unoccupied and was in the process of being prepared for tenant changeover.

**01.06.21-Now** Mr Ghazi Tami. A tenancy agreement dated 01.06.21 is provided. This tenancy became a statutory periodic tenancy. The rental accounts, statements of account and banking information confirm this.

### **Flat 4**

Tenancy schedule:

**26.10.2009 – 13.08.2019** Mr Mathew Moran occupied this flat. An AST from 26<sup>th</sup> December 2015 is provided. This was a 6-month AST which became a statutory periodic tenancy. The rental accounts, statements of account and banking information confirm this.

**14.08.2019 – 10.05.2020** the flat was unoccupied but furnished as stated in the Council Tax bill provided. The flat was left in a very bad condition. I asked our handyman to deal with the renovation and painting (see statement of handyman at **Exhibit MT13**) at this flat which he did. The Covid pandemic began soon after the flat was ready to rent which led to further delays in renting the flat out.

**11.05.2020 to date** Mr Ajjaj Abbas El-Enezi. This was a 6-month AST. An AST dated 11.05.2020 is provided. This became a statutory periodic tenancy. The rental accounts, statements of account and banking information confirm this.

#### **Flat 5**

Tenancy schedule:

**23.07.2018 – 23.06.2019** Mr Badar Hussein. An AST dated 23<sup>rd</sup> July 2018 is provided. This also became a statutory periodic tenancy. The rental accounts, statements of account and banking information confirm this fact.

**24.06.2019 – 05.09.2019** the flat was unoccupied. A petty cash voucher dated 15<sup>th</sup> August 2019 for painting, redecorating and repairs and new furniture is provided at **Exhibit MT14**.

**06.09.2019 – 06.02.2020** Mr Abdul Shameri. AST provided.

**07.02.2020 – 01.03.2020** flat unoccupied, between tenancies.

**02.03.2020 – 01.04.2021** Mr Hussain Alshamary. An AST dated 02.03.20 is provided.

**01.04.2021 – 08.08.2021** flat unoccupied – Council Tax bill provided. The flat was unoccupied for the above period due to the Covid pandemic and the associated difficulty of finding a new tenant at this time.

Please find attached the window display (**Exhibit MT15**) as a proof that we were actively looking for a tenant which finally happened in August after reducing the price.

**09.08.2021 – 09.12.2022** Mr Falah Alshamary. An AST dated 09.08.21 is provided.

**09.12.2022 to date** Ms Bedour Hissiny. An AST dated 09.12.22 is provided.

#### **Flat 6**

Tenancy schedule:

**09.09.2009 – 07.10.2019** Mr Mark Williams. An AST dated 9<sup>th</sup> August 2015 is included. This became a statutory periodic tenancy. The rental accounts, statements of account and banking information confirm this.

**08.10.2019 – 15.01.2020** the flat was unoccupied but was being redecorated/remarketed. A Council Tax bill is provided. There is also an invoice dated 07.01.2020 for new oven, washing machine and fridge which is provided at **Exhibit MT14**.

**16.01.2020 – 13.08.2020** Mr Muafuq Zahawi. An AST dated 16.01.20 is provided.

**14.08.2020 – 03.09.2020** the flat was unoccupied and between tenancies – Council Tax bill provided.

**04.09.2020 – 04.05.2021** Mr Badr Albadr. An AST dated 04.09.20 is provided.

**04.05.2021 – to date** Mr Adnan Kisserwan. An AS dated 4<sup>th</sup> May 2021 is provided. This became a statutory periodic tenancy. The rental accounts, statements of account and banking information confirm this.

10. The statutory declarations from Sara Tesfu, Mohammad Ali, Andrew O'Neill and Farid Shamash confirm the same.

11. Some of the tenants are council tenants and HB documents exhibited at **Exhibit MT8** to show evidence of payments for these individuals from the LPA.

12. Payments for each of the residents whether on private tenancies or on housing benefits was made into Mr Farid Shamash's business account by Metropole Properties Ltd. **Exhibits MT9a, MT9b and MT9c** gives statements of account and bank statements for each of the flats as well as rental schedule from Metropole Properties Ltd. This proves continuous occupation of the flats from 01.08.18 until 01.08.2022. This also backs other evidence that there were at least 6 separate flats at the property.

13. There were a number of acceptable gaps in occupation in the flats as shown in the list of occupation above.


14. I can confirm that each of these gaps for renovation, remarketing and re-letting with the flats staying on the rental books of Metropole Properties Ltd and Metropole Property Rentals Ltd throughout. There was one incident where a slightly longer gap existed in respect of flat 4 between 14.09.2019 and 10.05.2020. The reason for this is that the flat needed more than usual renovation and it took longer to re-let as a result.

15. The insurance documents obtained in respect of the property covers each of the separate flats. I exhibit at **Exhibits MT10** copies of the insurance certificates for each of the flats covering the relevant period. These documents were given to me by Farid Shamash.

16. Separate EPC documents and council tax bills for each of the flats are detailed in **Exhibits MT11**.

17. Accordingly, I declare that each of the existing flats to the Property have been occupied for at least 4 years.

18. I depose as above of my own knowledge AND make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Declared by MARGARET TAHA )  
At *244b Edgware Road* )  
*London W2 1DS* )  
this *4<sup>th</sup>* day of *March 2024* )  
Before me,  *NUZHAT DUNN* )  
A Solicitor/Commissioner for Oaths



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