

IN THE MATTER OF

49 COTLEIGH ROAD, LONDON NW6 2NN

STATUTORY DECLARATION OF FARID GOURJI SHAMASH

I, **FARID GOURJI SHAMASH**, of Flat 51, 125 Park Road, NW8 7JS do solemnly and sincerely DECLARE as follows:

1. I provide this Declaration in respect of the use of Flats 1-6 at 49 Colleigh 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 am the Director and shareholder of Metropole (Colleigh Road) Ltd. Metropole (Colleigh Road) Ltd became the freehold owner of the Property on 27th September 2013 registration number LN120405. The property was already converted into 6 no. flats at the time of purchase. I exhibit at **Exhibit FS1** a Title Plan. **Exhibit FS2** shows the location plan and floor plans showing the current layout of 49 Colleigh Road. **Exhibit FS3** shows a copy of a letter from the Planning Inspectorate dated 15.03.2011 proving 6 separate flats existed as far back as 2011.
3. **Exhibit FS4** 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 FS5** shows property valuations from 2012 and 2013 with plans, layouts and internal photographs showing 6 separate 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. Photographs taken from the outside of the properties showing separate doors are displayed at **Exhibit FS6**. Each of the flats has clearly marked door numbers and their own entrance.

5. 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 FS7**. All 6 flats have been continuously tenanted for at least 4 years from 15th March 2019 to 15th March 2023.
6. There is also the following documentary evidence proving 6 separate, self-contained flats have been rented out and have been in continuous occupation during the relevant period:
- a. **FS8** - Separate Council Tax bills for the flats;
 - b. **FS9** - Rental schedules for the flats numbers 1-6;
 - c. **FS10** - Housing benefit documents for some of the separate flats;
 - d. **FS11 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. **FS12** - Insurance letters for 6 separate flats;
 - f. **FS13** - EPC documents for the 6 separate flats;
 - g. **FS14** - HMO license application dated 09/02/18 from Camden Council.
7. Please note that Metropole Properties Ltd acted as managing agent for the Property until April 2017. Metropole Properties Ltd was dissolved. Management was then transferred to Metropole Property Rentals Ltd in April 2017. These are two separate limited companies. I was the Director of both Metropole Property Rentals Ltd and Metropole Properties Ltd.
8. All of the properties have been managed by Metropole Properties Ltd/Metropole Property Rentals Ltd since they were separated into flats. This was well over 4 years ago. They deal with the repairs, maintenance or related issues in relation to each of the flats. 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 and Margaret Taha of Metropole Property Rentals Ltd are 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

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 and Margaret Taha of Metropole Property Rentals Ltd who has managed this property are provided. Tenancy agreement dated 22/04/2017 is also provided. 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 Statutory Declaration from Margaret Taha of Metropole Property Rentals Ltd, rental accounts, statements of account and banking information confirms the statutory periodic nature of this tenancy.

05.05.21-31.05.21 Unoccupied, 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 Statutory Declaration from Margaret Taha of Metropole Property Rentals Ltd, rental accounts, statements of account and banking information confirms this.

Flat 4

Tenancy schedule:

26.10.2009 – 13.08.2019 Mr Mathew Moran. An AST from 26th December 2015 is provided. This was a 6-month AST which became a statutory periodic tenancy. The Statutory

Declaration from Margaret Taha of Metropole Property Rentals Ltd, rental accounts, statements of account and banking information confirms this.

14.08.2019 – 10.05.2020 flat unoccupied but furnished as stated in the Council Tax bill provided. The flat was left in a very bad condition, so it needed renovation, cleaning and painting which was done by our handy man (see statement of handyman at **Exhibit FS15**) about doing the work in the flat. After the decoration when the flat was ready to let, the Covid started and it was very difficult to rent out the flat so it took time.

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 Statutory Declaration from Margaret Taha of Metropole Property Rentals Ltd, rental accounts, statements of account and banking information confirms this.

Flat 5

Tenancy schedule:

23.07.2018 – 23.06.2019 Mr Badar Hussein. An AST dated 23rd July 2018 is provided. This became a statutory periodic tenancy. The Statutory Declaration from Margaret Taha of Metropole Property Rentals Ltd, rental accounts, statements of account and banking information confirms this.

24.06.2019 – 05.09.2019 flat unoccupied. Petty Cash Voucher dated 15th August 2019 for painting, redecorating and repairs and new furniture is provided at **Exhibit FS15a**.

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 pandemic season and difficulty finding a new tenant. Please find attached the window display (**Exhibit FS16**) 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 Fahad 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 9th August 2015 is provided. This became a statutory periodic tenancy. The Statutory Declaration from Margaret Taha of Metropole Property Rentals Ltd, rental accounts, statements of account and banking information confirms this.

08.10.2019 – 15.01.2020 flat unoccupied but was being redecorated/remarketed – Council Tax bill provided. There is also an invoice dated 07.01.2020 for new oven, washing machine and fridge is provided at **Exhibit FS15a**.

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

14.08.2020 – 03.09.2020 flat unoccupied, 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 4th May 2021 is provided. This became a statutory periodic tenancy. The Statutory Declaration from Margaret Taha of Metropole Property Rentals Ltd, rental accounts, statements of account and banking information confirms this.

10. The statutory declarations from Sara Tesfu, Mohammad Ali, Andrew O'Neill and Margaret Taha of Metropole Property Rentals Ltd confirm the same.

11. Some of the tenants are council tenants and HB documents exhibited at **Exhibit FS10** show evidence of payments for those.

12. Payments for each of the residents whether on private tenancies or on housing benefits was made into our bank account by Metropole Properties Ltd. **Exhibits FS11a, FS11b and FS11c** give 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 15.03.2019 until 15.03.2023. 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. A slightly longer gap existed in respect of flat 4 between 14.09.2019 and 10.05.2020. The reason was 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 FS12** copies of the insurance certificates for each of the flats covering the relevant period.

16. Separate EPC documents and council tax bills for each of the flats are detailed in **Exhibits FS13**.

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.

[Redacted Signature]

Declared by FARID SHAMASH)
At 24th Edgware Road)
22nd 105)
this 4th day of March 2024)
Before me, Nuzhat Dunn)
A Solicitor/Commissioner for Oaths)

NUZHAT DUNN SOLICITORS
T/A PINE LAW
14b Edgware Road
London W2 1DS
Mobile: 0203 028 2420
n@dunn-law.co.uk

IN THE MATTER OF

49 COTTELEIGH ROAD, LONDON NW6 2NN

EXHIBIT FS1 TO THE
STATUTORY DECLARATION OF FARID SHAMASH

I, FARID SHAMASH, of Flat 51, 125 Park Road, NW8 7JS do solemnly and sincerely
DECLARE that this is the exhibit marked as Exhibit FS1 as referred to in my Statutory
Declaration herein.

Declared by FARID SHAMASH

At 244b Edgware Road

this 14th day of March 2024

Before me, Nuzhat Dunn

A Solicitor/Commissioner for Oaths

NUZHAT DUNN SOLICITORS

244b Edgware Road

London W2 1DS

Telephone: 020 828 2420

info@jpr-law.co.uk



GOV.UK

Search for land and property information

Title register for:

49 Cotleigh Road, London, NW6 2NN (Freehold)

Title number: LN120405

Accessed on 07 February 2023 at 11:57:47

This information can change if we receive an application. This service can not tell you if HM Land Registry are dealing with an application.



This is not an official copy. It does not take into account if there's a pending application with HM Land Registry. If you need to prove property ownership, for example, for a court case, you'll need to order an official copy of the register.

Register summary

Title number	LN120405
Registered owners	Metropole (Cotleigh Road) Ltd 244 Edgware Road, London W2 1DS
Last sold for	£900,000 on 04 September 2013

A: Property Register

This register describes the land and estates comprised in this title.

Entry number	Entry date	
1	1954-09-14	CAMDEN

The Freehold land shown edged with red on the plan of the above Title filed at the Registry and

being 49 Cotleigh Road, London (NW6 2NN).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Class of Title: Title absolute

Entry number	Entry date	
1	2013-09-27	PROPRIETOR: METROPOLE (COTLEIGH ROAD) LTD (Co. Regn. No. 08345093) of 244 Edgware Road, London W2 1DS.
2	2013-09-27	The price stated to have been paid on 4 September 2013 was £900,000.
3	2023-01-04	RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 9 December 2022 in favour of Paragon Bank PLC referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

Class of Title: Title absolute

Entry number	Entry date	
1	2023-01-04	REGISTERED CHARGE dated 9 December 2022.
2	2023-01-04	Proprietor: PARAGON BANK PLC (Co. Regn. No. 5390593) of 51 Homer Road, Solihull, West Midlands B91 3QJ.

3

2023-01-04

The proprietor of the Charge dated 9 December 2022 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.

H.M. LAND REGISTRY		TITLE NUMBER	
		LN120405	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	GREATER LONDON		TQ 2584
Scale: 1/1250			SECTION S
			© Crown copyright 1970. Old Reference LN VI 1B 3 & G



This is a copy of the title plan on 2 FEB 2023 at 12:30:40. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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IN THE MATTER OF

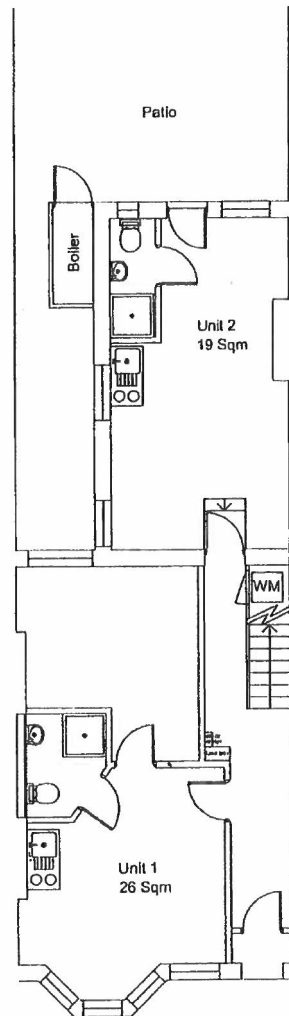
49 COTLEIGH ROAD, LONDON NW6 2NN

EXHIBIT FS2 TO THE
STATUTORY DECLARATION OF FARID SHAMASH

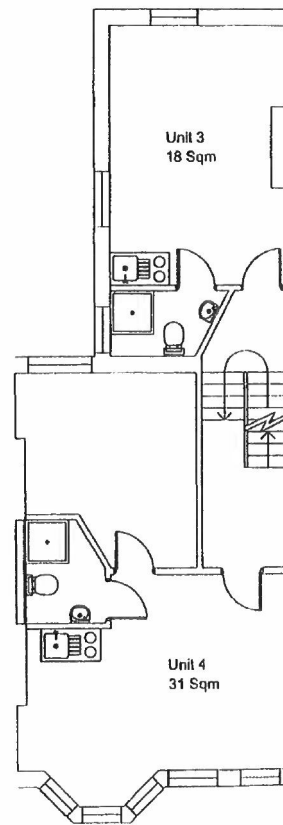
I, FARID SHAMASH, of Flat 51, 125 Park Road, NW8 7JS do solemnly and sincerely
DECLARE that this is the exhibit marked as Exhibit FS2 as referred to in my Statutory
Declaration herein.

Declared by FARID SHAMASH)
At 244B Edgware Road)
this 4th day of March 2024)
Before me, Nuzhat Dunn)
A Solicitor/Commissioner for Oaths)

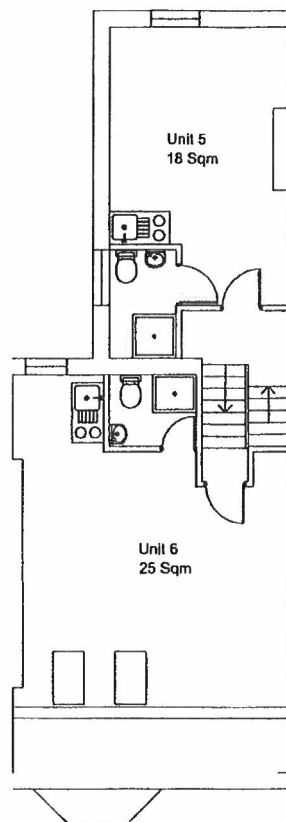
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Existing Ground Floor



Existing 1st Floor



Existing 2nd Floor

NOTES

Description

Date



ARCHITECTURAL DEVELOPMENTS & INVESTMENTS LTD
CHARTERED ARCHITECTS
20 AVONMORE ROAD, LONDON W14 8RR
T 020 7602 0022 F 020 7602 1022
email: info@adiarchitects.com

CLIENT

Metropole (Cotleigh Road) Ltd

PROJECT

49 Cotleigh Road NW6 2NP

TITLE

Existing Layout Plans

DRAWN

FH

CHECKED

APPROVED

DATE

March 2018

SCALE

1:100 @ A3

STATUS

Building Control

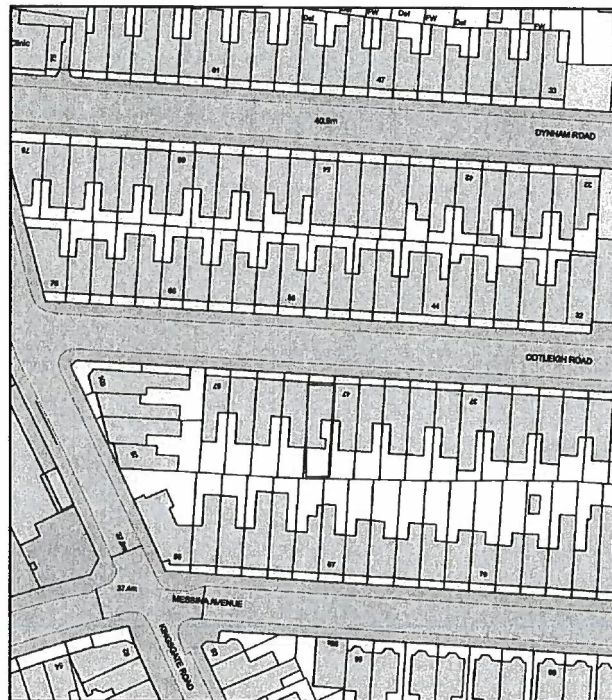
DRAW NO

1802-BR-00-01

REV

-

Location Plan 49 Cotleigh Road



Plan Produced for: Farid Shamash
Date Produced: 15 Aug 2023
Plan Reference Number: TQRQM23227105232086
Scale: 1:1250 @ A4

IN THE MATTER OF

49 COTLEIGH ROAD, LONDON NW6 2NN

EXHIBIT FS3 TO THE
STATUTORY DECLARATION OF FARID SHAMASH

I, FARID SHAMASH, of Flat 51, 125 Park Road, NW8 7JS do solemnly and sincerely
DECLARE that this is the exhibit marked as Exhibit FS3 as referred to in my Statutory
Declaration herein.

Declared by FARID SHAMASH)
At 244 S Edgware Road)
this 22nd day of Nov 2024)
Before me [redacted] Nuzhat Dunn)
A Solicitor/Commissioner for Oaths

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