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To: Lorraine Cordell <lorraine32@blueyonder.co.uk>
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Claim form for possession of property

In the County Court at Edmonton

Claim no.

F 0 0 ED 2 2 2

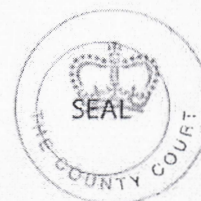
Fee Account no. PBA0079006

You may be able to issue your claim online and it may save you time and money. Go to www.possessionclaim.gov.uk to find out more.

Claimant

(name(s) and address(es))

The Mayor and Burgesses of the London Borough of Enfield
PO Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA



Defendant(s)

(name(s) and address(es))

Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

The claimant is claiming possession of:

109 Burncroft Avenue
Enfield
EN3 7JQ

which (includes) (does not include) residential property. Full particulars of the claim are attached.
(The claimant is also making a claim for money).

This claim will be heard on:

20 at am/pm

at

At the hearing

- The court will consider whether or not you must leave the property and, if so, when.
- It will take into account information the claimant provides and any you provide.

What you should do

- Get help and advice immediately from a solicitor or an advice agency.
- Help yourself and the court by **filling in the defence form** and **coming to the hearing** to make sure the court knows all the facts.

Defendant's
name and
address for
service

Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Court fee

£355.00

Legal representative's costs

TBA

Total amount

Issue date

31 JAN 2019

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form:
<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Claim No.

Grounds for possession

The claim for possession is made on the following ground(s):

- ☐ rent arrears (online issue available)
- ☒ other breach of tenancy
- ☐ forfeiture of the lease
- ☐ mortgage arrears (online issue available)
- ☐ other breach of the mortgage
- ☐ trespass
- ☐ other (please specify) _____

Anti-social behaviour

The claimant is alleging:

- ☒ actual or threatened anti-social behaviour
- ☒ actual or threatened use of the property for unlawful purposes

Is the claimant claiming demotion of tenancy?

☐ Yes ☒ No

Is the claimant claiming an order suspending the right to buy?

☐ Yes ☒ No

See full details in the attached particulars of claim

Does, or will, the claim include any issues under the Human Rights Act 1998?

☐ Yes ☒ No

Statement of Truth

*(I believe)(The claimant believes) that the facts stated in this claim form are true.

*I am duly authorised by the claimant to sign this statement.

signed  date 29th January 2019

*(Claimant)(Litigation friend (where the claimant is a child or a patient))(Claimant's legal representative)

*delete as appropriate

Full name Paul Buckridge

Name of claimant's legal representative's firm Legal Services, London Borough of Enfield

position or office held Solicitor
(If signing on behalf of firm or company)

Claimant's or claimant's legal representative's address to which documents or payments should be sent if different from overleaf.

Legal Services
London Borough of Enfield
PO Box 50
Civic Centre
Silver Street
Enfield

Postcode EN13XA

if applicable

Ref. no. LS/C/PB/159272

fax no.

DX no. 90615 Enfield

e-mail

Tel. no.

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IN THE COUNTY COURT AT EDMONTON

CLAIM NO

BETWEEN

LONDON BOROUGH OF ENFIELD

Claimant

and

MR SIMON CORDELL

Defendant

PARTICULARS OF CLAIM

1. The Claimant is the Landlord and the freehold owner of the premises known as 109 Burncroft Avenue, Enfield, EN3 7JQ (hereinafter referred to as the premises).
2. The premises is a one-bedroom flat located in a block of flats, granted to the Defendant, Simon Cordell on 14 August 2006. The current weekly gross rent is £98.24. The Defendant lives in the Property alone and is in receipt of Employment and Support Allowance as well as Housing Benefits.
3. The Claimant is seeking possession of the premises from the Defendant because on numerous occasions and times since the commencement of the tenancy, the Defendant has failed to comply with the terms and conditions of her tenancy agreement.

PARTICULARS OF TENANCY CONDITIONS

Condition 9

"You, the tenant, are responsible for the behaviour of anyone, including your children, living in or visiting your home. This means that you must ensure that they do not act in breach of any of these conditions. Also, you must not encourage them to act in such a way. This applies in the property, in

communal and surrounding areas, any property belonging to the council and or anywhere within Enfield borough."

Condition 10

"You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social."

Condition 21

"You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police."

Condition 31

"You must take care not to cause damage to your property or the property of your neighbours."

Condition 33

"You must keep the inside of your property clean and in reasonable decorative order."

Condition 34

"You must not use the property in any way that may cause a health or safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately)."

Condition 44

"You must obtain our prior written permission before carrying out any alterations, improvements or structural work to the property. You may need to obtain other permissions such as planning permission or building regulations approval."

Condition 53

"You must keep the inside of the property, the fixtures and fittings and all glass in the property in good repair during the tenancy."

Condition 57

"You must allow our employees, representatives and contractors to come into your property to service any electrical and gas supplies and appliances that we are responsible for maintaining."

Condition 69

"You must not interfere with the electric or gas supply."

Condition 76

"You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality."

Condition 79

"You must always keep your dog(s) on a lead in communal areas and on our land."

4. The Claimant claims that the Defendant has acted in contravention of the above tenancy conditions.
5. Detail of the nuisance acts that the Defendant has engaged in which constitute a breach of these conditions are particularised in the attached Schedule of Nuisance.
6. The Claimant alleges that there have been reports of nuisance and anti-social behaviour from the Defendant since July 2016.
7. The Defendant has been given verbal and written warnings of the anti-social behaviour and has been invited to attend meetings with his mother to see the Claimant's officers to discuss his conduct and behaviour but he declined to attend.

PARTICULARS OF WARNING LETTERS AND REQUEST FOR MEETINGS

1. On 29 December 2016 a letter was sent to the Defendant to attend a meeting on 6 December 2016, but the Defendant cancelled the meeting.
2. On 31 January 2017 to attend a meeting for 9 February 2017 that was cancelled by the Defendant.
3. On 16 February 2017 for a meeting on 22 February 2017 that again was cancelled by the Defendant
4. On 16 March 2017 for a meeting on 23 March 2017 that was cancelled by the Defendant.
5. On 15 October 2018 a pre-action letter was sent to the Defendant informing of legal action as a consequence of his antisocial behaviour conduct.

8. The Claimant is seeking to rely on Grounds 1 and 2 of Schedule 2 to the Housing Act 195 in the claim for possession of the premises.

Ground 1 of Schedule 2 states "*Rent lawfully due from the tenant has not been paid or an obligation of the tenancy has not been broken or not performed*".

Ground 2 Schedule 2 states "*The tenant or a person residing in or visiting the dwelling-house:*

(a) Has been guilty of conduct causing or likely to cause harassment, alarm or distress to a person residing, visiting or otherwise engaging in unlawful activity in the locality, or

(aa) has been guilty of conduct causing or likely to cause a nuisance or annoyance to the landlord of the dwelling-house, or a person employed (whether or not by the landlord) in connection with the landlord's housing management functions, and that is directly or indirectly related to or affects those functions, or

(b) has been convicted of—

(i) using the dwelling-house or allowing it to be used for immoral or illegal purposes, or

(ii) an indictable offence committed in, or in the locality of, the dwelling-house.

9. In accordance with the requirements of Section 83 of the Housing Act 1985, a Notice of Seeking Possession was served on the Defendant on 25 January 2019.
10. The Claimant claims that it is reasonable to grant possession of the premises on account of the Defendant's conduct.

11. The Claimant has informed the Defendant of the impact of his conduct and behaviour on other residents and sent him warning letters. The Notice of Seeking Possession clearly sets out the details of the complaints.

12. The Claimant was assessed by a consultant psychiatrist on 6th July 2018 and she confirmed that the Defendant lacks capacity to litigate.

AND THE CLAIMANT CLAIMS

1. Possession of the premises known as 109 Burncroft Avenue, Enfield, EN3 7JQ.
2. Mesne profit at the rate of £13.99 per day from the day possession is granted.
3. Costs

Statement of Truth

I believe that the facts stated in this Particulars of Claim are true.

I am duly authorised by the Claimant to sign this statement.

Signed



Dated: 29th January 2019

(Claimant's Solicitor)

IN THE COUNTY COURT AT EDMONTON

CLAIM NO

BETWEEN

LONDON BOROUGH OF ENFIELD

Claimant

and

MR SIMON CORDELL

Defendant

SCHEDULE OF NUISANCE ACTIVITIES

1. On 6th July 2016, it is alleged that the Defendant approached an elderly neighbour as he came out of his flat and started to shout abuse and swear at him and threatened to burn down his flat.
2. Sometime in July 2016 it is alleged that the Defendant damaged the lock of a neighbour's electric cupboard and removed his fuse box resulting in no electricity to his flat.
3. On 6th August 2016, it is alleged that the Defendant threatened one of his neighbours and his wife and aggressively demanded money from him. It is also alleged that the Defendant repeatedly swore and shouted abuse at him and his wife and called his wife a 'bitch' and tried to stop him from going up the stairs to his flat by standing in front of him.
4. Sometime in September 2016 it is alleged that the Defendant confronted an elderly neighbour outside his block of flats, 109 – 119 Burncroft Avenue as he was going to the local park with another resident and started to shout abuse and threats at him and said to him 'I can get you over at the park, I know you go for a walk'.
5. On 27th September 2016, it is alleged that the Defendant confronted one of his neighbours as he returned to his flat with his family, threatened, swore at him and demanded money from him. It is also alleged that the Defendant later banged on his door, shouted further abuse and swear words at him and accused him of making noise inside his flat.
6. On 28th September 2016, it is alleged that the Defendant aggressively banged on a neighbour's door and threatened and shouted verbal abuse and swear words at them. It is also alleged that the Defendant aggressively demanded money from him.
7. On 4th October 2016, it is alleged that the Defendant aggressively banged on his ceiling and accused one of his neighbours of making noise, then went to his neighbour's flat and started kicking and banging on his front door

aggressively, accused him of banging on the floor, swore and shouted abuse at him. It is also alleged that the Defendant later went downstairs, dragged his neighbour's motorbike from where it was parked and started to hit it with a piece of wood.

8. On 22nd November 2016 during a telephone conversation between the Defendant, Mrs Cordell the Defendant mother and Ms Sarah Fletcher, neighbourhood officer, Ms Fletcher reported that she overheard the Defendant threaten her by saying 'I'm gonna do her over' and then 'I'm gonna take her job just for fun'.
9. On 8th December 2016, it is alleged that the Defendant aggressively banged on one of his neighbour's front door, shouted abuse and threats and accused him of making noise.
10. On 11th December 2016, it is alleged that the Defendant aggressively banged on his neighbour's door several times and accused them of banging on pipes. It is also alleged that the Defendant shouted abuse and threats at them.
11. On 14th December 2016, it is alleged that the Defendant was verbally abusive towards a woman who was visiting one of his neighbours as she knocked on his neighbour's door.
12. On 23rd December 2016, it is alleged that the Defendant banged on a neighbour's front door, shouted abuse at them and asked them to turn their tap off. The Defendant then removed their electricity fuse thereby cutting off their power supply.
13. On 26th December 2016, it is alleged that the Defendant ran up the communal stairs to the first floor and confronted one of his neighbours as he was going out with his family and started to shout abuse and threats at him and his wife and accused him of tampering with his water supply. The Defendant also attempted to stop him from leaving the block.
14. On 3rd January 2017, it is alleged that the Defendant confronted one of his neighbours as he returned to the block with his wife and two-year-old daughter and started shouting abuse and threats at them.
15. On 21st January 2017, it is alleged that the Defendant aggressively banged on his neighbour's door, swore and shouted abuse and threats at them and accused them of making noise.
16. On 31st January 2017, it is alleged that the Defendant aggressively banged on his neighbour's door, shouted abuse and threats at them and accused them of banging on the floor.

17. We received a report that on 7th February 2017 that the Defendant approached the leaseholder of 117 Burncroft Avenue and his plumber outside the block as they were attempting to resolve the problem causing low water pressure in the flat. The Defendant said to the leaseholder that there were problems between him and his tenants but did not give any specific details. The leaseholder explained to the Defendant that his tenants were experiencing low water pressure in the flat and the Defendant said to him 'you will not solve the problem as I am restricting their water supply'. The leaseholder later knocked on the Defendant door and asked whether he would increase the water pressure and the Defendant stated 'I cannot do anything at the moment, I will sort it out later'.
18. On 24th February 2017 Sarah Fletcher (Neighbourhood Officer) and Steve Stirk (Maintenance Surveyor) attended the Defendant property at flat 109 Burncroft Avenue to inspect the property following reports of low water pressure from flats 113 and 117 Burncroft Avenue. While inside the Defendant flat, they observed that the Defendant had installed an iron security gate inside his front door. It also appeared to them that the wall between the Defendant kitchen and living room seemed to have been removed thereby creating an open plan effect. Much of the property was taken up with industrial type printers, boxes and folders and there were dog faeces in the Defendant's back garden.
19. On 17th March 2017 Lemmy Nwabuisi, ASB Coordinator visited 109 Burncroft Avenue to post a letter through the Defendant door and as he got into his car to drive off after posting the letter, the Defendant ran after him shouting and screaming abuse. The letter requested that the Defendant attend the Council office to discuss the nuisance reports being received from his neighbours. By the time he returned to the office, the Defendant had telephoned him several times. Lemmy Nwabuisi telephoned the Defendant back and the Defendant asked whether he was the person that posted a letter through his letterbox and Lemmy Nwabuisi said yes. The Defendant asked why he did not stop when he ran after him and Lemmy Nwabuisi stated that he had another visit and did not have the time to stop and talk to him. The Defendant stated that he will not attend the meeting at the Civic Centre or any of the council offices as he is unable to leave his flat and that the meeting should take place in his flat. Mr Nwabuisi offered to have the meeting at a neutral venue and suggested the local library or at his mother's house but the Defendant refused saying that he have done nothing wrong and accused Lemmy Nwabuisi of taking sides with his neighbours.
20. On 5th May 2017, it is alleged that the Defendant threatened one of his neighbours by saying that he will ruin his life and that the Defendant was going to the police to present evidence about his illegal activities.

21. On 14th May 2017, it is alleged that the Defendant aggressively banged on one of his neighbour's door, shouted abuse and threats at her and falsely accused her of making noise and coming into his flat to attack him. The Defendant later followed her to her car shouting abuse and wanting to know where she was going.
22. On 14th May 2017 it is alleged that the Defendant allowed his dog to run freely in the communal area of his block without a lead.
23. On 28th May 2017, the police issued the Defendant with a first instance Harassment letter following reports of harassment and threatening behaviour made to the police by one of the Defendant neighbours.
24. On 9th June 2017, it is alleged that the Defendant attacked one of his neighbours in the communal hallway of his block as he returned from work late at night by grabbing him on the arm and neck thereby causing bruising to his arm and neck. The Defendant also snatched his phone from him as he tried to video-record the incident.
25. On 16th June 2017 at 11:55hrs it is alleged that the Defendant confronted one of his neighbours as she was exiting the main entrance to his building and said to her that he had her bank details and personal details such as date of birth and said to her that he wanted her and her husband to pay the Defendant some money.
26. On 18th June 2017 at 11:55hrs it is alleged that the Defendant confronted one of his neighbours as she was exiting the main entrance to his building and said to her that he knew what time she went out and what time she returned and to tell her husband that the Defendant would like to speak to him.
27. On 23rd June 2017 at 23:35hrs it is alleged that the Defendant came out of his flat with his dog without a lead and attacked one of his neighbours as he returned from work by punching him twice on the chest. The Defendant tried to push him out of the block and snatched his phone as he took it out of his pocket to record the incident.
28. On 28th June 2017 at 11:45hrs it is alleged that the Defendant confronted his neighbour as she was leaving the block. The Defendant swore and shouted abuse at her and accused her of making noise inside her flat. The Defendant told her that he knows all her personal details and that of her husband including their full names, phone numbers, date of birth and banking details. The Defendant demanded that they pay him some money and asked her to tell her husband to come and see him.
29. On 30th June 2017 at 11:45hrs it is alleged that the Defendant confronted his neighbour as she was leaving the block and accused her of slamming

the door. She denied slamming the door and the Defendant called her a liar and proceeded to swear and shout abuse at her.

30. On 2nd July 2017 at 17:18hrs it is alleged that the Defendant confronted his neighbour as he was going out with his family with his dog barking and without a lead. The Defendant asked him when he was going to hand over the money. It is also alleged that as they left the block, the Defendant ran after them swearing and shouting abuse at his neighbour and demanding that he must pay him some money if he wants the Defendant to leave him alone. The Defendant also said to him that he has all their personal details including their dates of birth and bank details.
31. On 12th July 2017 an Enfield Council Surveyor attended the Defendant flat to investigate reports of low water pressure to flats above his but he refused him access. The Surveyor attended the Defendant flat again in the evening of the same day following further reports that the water supply to the affected flats had completely ceased and the Defendant refused him access. The Defendant then followed him to his car swearing and shouting abuse at him and prevented him from entering his car. The Surveyor then called the police.
32. On 11th November 2017 at 11.30am, it is alleged by one of his neighbours that the Defendant came to their front door, opened the letterbox and peeped through it to see who was inside the flat. The Defendant then started swearing and shouting abuse and banging on their front door as soon as he saw the neighbour's wife.
33. On 2nd January 2018 at 6.30pm, it is alleged that the Defendant stood outside his neighbour's property for more than twenty minutes swearing and shouting abuse. The Defendant went away and returned half an hour later, lifted their letterbox, stuck his mobile phone through the letterbox and started to record his neighbour's family while swearing and shouting abuse. This went on for about fifteen minutes.
34. On 9th January 2018 at about 12.18pm, the Defendant telephoned Lemmy Nwabuisi (ASB Behaviour officer) and accused him of forging documents to get an anti-social behaviour order against him. The Defendant further told him that he had made him a prisoner within his home. The Defendant stated that he knows where he lives in Enfield and that he and his family were not safe from him. The Defendant told Lemmy Nwabuisi that he would watch him leave the office and he would have followed him home and he needed to watch his back. The Defendant called the ASB officer again 30 minutes later and told him that he knows he has a flat in Edmonton and also know that one of his colleagues lives in Edmonton. The Defendant also stated that he knows where they live and they were not safe.

35. On 9th January 2018 the Defendant called Kaunchita Maudhub (ASB Behaviour officer) and left a long voicemail on her work telephone number and made threats.
36. On 26th February 2018, at around 11.45pm it is alleged that the Defendant came to one of his neighbour's front door and started making loud banging noises and rattling with their letter box. The Defendant ran away after the neighbour opened her front door.
37. On 1st March 2018 it is alleged that the Defendant knocked on one of his neighbours' door loudly, he started rattling with their letter box and shouting. This went on for 5 to 10 minutes, but the Defendant left after he heard that the neighbour was calling the police.
38. On 15th March 2018 it is alleged that the Defendant swore, shouted and assaulted one of his neighbours in front of his wife and his 3 years old child.
39. On 1st May 2018, the Defendant attended the Edmonton County Court as there was a hearing listed in relation to an injunction. It is alleged that the Defendant started shouting abuse, swore and make threats to two of the Claimant's employees (Lemmy Nwabuisi, ASB officer and Balbinder Kaur Geddes, lawyer) and to one of his neighbours who attended Court to give evidence. The Defendant also swore at a judge. These incidents were witnessed by members of staff working at the Court.
40. On 29th May 2018, it is alleged that the Defendant attended one of his neighbours' property; he took his dog with him and waited by their front door. It is alleged that the Defendant tried to intimidate as they were due to attend a hearing in the Edmonton County Court to give evidence in support of a claim for an injunction issued against the Defendant.
41. On 30th May 2018, it is alleged that the Defendant made threats to kill to one of his neighbours. The matter was reported to the police. The Defendant was arrested and released on bail.
42. On 29th August 2018, it is alleged that the Defendant assaulted one of his neighbour for flushing his toilet.
43. The Defendant telephoned two council officers (Lemmy Nwabuisi and Ludmilla Iyavoo) on 12th September 2018 and made threats to them over the telephone. The Defendant also accused them of fraud and of fabricating evidence to support the Council's claim for an injunction
44. On 12th September 2018 at about 3.50pm, the Defendant called one of his neighbour on his mobile phone using a private number. It is not known how you obtained his number, but he terminated the call. The Defendant called

again using the same private number, but he terminated the call as soon as he heard his voice. The Defendant called repeatedly after that.

45. On 24th September 2018 at about 11.30am, one of the Defendant neighbours returned home from dropping her daughter at school and as she entered their block of flat, she noticed that the middle door on the ground floor was open as well as the Defendant front door. As she went up the stairs to their second floor flat, the Defendant dog came out of the Defendant flat and started barking at her. The neighbour had to run up the stairs to her flat to escape from the dog. It was reported that the Defendant dog is always barking whenever they go out or return to the block and the neighbour and 4 years old daughter are terrified.
46. On 30th September 2018, it is alleged that the Defendant attempted to break down one of his neighbour's front door by kicking it several times and accused him flushing his toilet.
47. On 2nd October 2018 at about 12:45pm, it is alleged that the Defendant attacked one of his neighbour's cousins as he was leaving the block. It is alleged that as he exited the block, the Defendant followed him and suddenly grabbed his jacket from behind and tried to pull him to the ground. The cousin started shouting to attract neighbours and managed to push the Defendant off.
48. On 18th October 2018, the Defendant telephoned one of the Enfield Council solicitors, Miss Ludmilla Iyavoo almost ten times, making threats and intimidating her. The Defendant suggested that she stops working on the case or you will try to get her struck off from the 'register'.
49. On 19th October 2018, the Defendant telephoned Miss Ludmilla Iyavoo at least five times and left two voice messages making threats and trying to intimidate the solicitor working on the case.
50. On 22nd October 2018, the Defendant telephoned Miss Ludmilla Iyavoo from a private number and left one threatening and intimidating voice message.
51. On 23rd October 2018, the Defendant telephoned Miss Ludmilla Iyavoo from a private number and left an intimidating voice message.
52. On 24th October 2018, the Defendant telephoned Ludmilla Iyavoo twice but did not leave any messages.
53. On 16th December 2018 at around 6pm, it is alleged that the Defendant repeatedly banged on one of his neighbour's door and peeped through his letterbox.
54. On 17th January 2019, the Defendant was videotaped when he confronted one of his neighbours outside his block of flats (109-119 Burncroft Avenue) as he was taking his three-year-old daughter to school and started shouting

abuse and threats at him thereby preventing him from taking his daughter to school. The Defendant then followed him and his daughter up the stairs to their second floor flat and was videotaped by a member of the neighbour's family as he attempted to attack them causing them to run into their flat for safety with the Defendant forcing the door to try and gain entry. The neighbour and his family have since fled their property as a result of the Defendant constant threats and intimidation.

55. On 18th January 2019, the Defendant telephoned Miss Ludmilla Iyavoo from a private number and started making threats and the solicitor ended the call. The Defendant called again three times and left a voice message making threats and intimidation.
56. On 23rd January 2019, the Defendant telephoned Miss Ludmilla Iyavoo eight times within a ten-minute period.
57. On 25th January 2019, the Defendant telephoned Miss Ludmilla Iyavoo on two occasions acknowledged receipt of the Notice of Seeking Possession, threaten to have her struck off the register and accused her of falsifying evidence against him.