



The Camden

# Private Tenant

The Voice of Private Tenants in Camden

Autumn 2009 Issue 4



## Private Tenants: Time To Be Heard

With the growing cynicism towards mainstream politics; it may not matter to most people that local elections will be taking place in May 2010 and a general election will have to take place by June 2010 at the latest.

What is important to know is that whichever party gets or stays in power that major reforms are likely in the private rented sector, and it is absolutely vital that tenants' voices are heard, if standards are to ever improve in it.

Camden Council is only one of two London boroughs that funds a tenant-led organisation like the Camden Federation of Private Tenants (the other being in neighbouring Brent), and sadly

there is no organisation that represents private tenants either regionally or nationally.

However, there are several that represent landlords and letting/managing agents and they will be working tirelessly over the coming months to get their message across to both civil servants and politicians.

The simple fact is – if we want to get our message across – then we will have to do the same but with fewer resources available to us.

Also whether you love it or hate it, the private rented sector is not going to go away. In fact, it's getting bigger, with private tenants making up of 14%

of households nationally and 23% in Camden. The number of households in the sector has also grown by 300,000 in the past year alone.

That is why we will be working closely with organisations like Shelter to support their "A licence to rent?" campaign, which seeks much greater regulation of the sector and expanding our own Campaign Action Group, which is run by private tenants.

If you would like to know more about these initiatives, become a member of the organisation or if you would like a copy of Shelter's four-page campaign briefing, please get in touch.

# 'Sam The Sham' Landlord At Work In Camden



IT worker Hanako Yamada, from Osaka, is studying English in London. Using the UK internet homefinding site Gumtree in June, she spotted a very suitable sounding room in Tufnell Park, cheap at £80pw. She phoned the advertiser, who said his name was Sam and arranged a viewing.

Meeting "Sam" at Tufnell Park tube station she accompanied him to a property nearby. Letting himself in, he showed her a large room that was clearly occupied – but stated that it would be vacant within a couple of days. He promised to install a new bed along with a desk and wardrobe and that she could, meanwhile, start moving her possessions into the flat.

They then went to a cashpoint in Archway and in return for a part payment of rent and deposit totalling £400, he handed her a bunch of keys. A few days later Hanako took her effects to the property. Puzzlingly, she found the keys didn't fit. She called the number

she had for "Sam" repeatedly.

However, she saw a note warning against any attempt to enter the premises. It bore the number for an estate agent who told her that they were agents for the flat and had no employee called Sam. They suggested Hanako come to an office in Royal College Street, Camden Town where staff of Edu World UK (the agency) explained that a scam was being operated using their client's property, apparently by a former tenant who had rented the flat for just two weeks and failed to return the keys. He'd identified himself to them as Simon Jagtar Singh. The very short let – and that he didn't bother to recover his deposit – suggests that this was a premeditated scam. The agency recommended that she contact the Police.

At Kentish Town Police Station Hanako was told that they were aware of identical scams in the area affecting 12 or more prospective tenants. They believed that "Sam" or "Simon" had been

using a false or stolen passport. If all the cases were the same man, he will have netted at least £5000 – and if not every victim has gone to the Police, it will be very much more. The Gumtree website does not charge advertisers – so there is no obvious way to trace him via the site.

Hanako stayed with friends temporarily but now has a home in Finchley Road where she spoke to a CFPT member. She thinks people in Japan would be amazed at the near-anarchy in UK home renting. At a previous flat her laptop was destroyed by flooding – the landlord said he wasn't liable and had no insurance.

"Sam" or "Simon" is around 30 years old, 5ft 9 to 5ft 11 tall, slim with dark hair and glasses. He wore a suit and had distinctive piercings to his ear and eyelid. He sounded as if English was not his first tongue. He claimed to be representing his father, a photocopy of whose passport was in the name Dhoot Jagtar Singh.

## Hidden Victims – Campaign Success!

It often feels like private tenants are left out of debates about the recession. But they are vulnerable to eviction – often very suddenly – if their landlord defaults on the mortgage and the lender takes possession action. As was reported in the previous issue of this newsletter, tenants have very little legal protection, particularly if the mortgage lender has not consented to the tenancy, and can face unexpected homelessness as a result. In some cases, tenants are totally unaware that there is a problem until the bailiffs come knocking.

In March this year Shelter, Crisis, Citizens Advice and the Chartered Institute of Housing launched a successful campaign to highlight this growing problem and put the pressure on government to respond. We called for greater legal protections, so that judges would be able to postpone eviction of tenants. In May, the government

announced that it would bring forward legislative proposals so that tenants have a minimum of two months' notice if their landlord's property is repossessed. One thing our campaign has raised awareness of is tenants' rights amongst mortgage lenders. There are also changes to the civil procedure rules that should benefit tenants.

### **But what can you do now if the landlord is having problems paying the mortgage?**

We found that many tenants were not opening the letter addressed 'to the occupier' that contains notice of the possession hearing at court. This will shortly be changing to 'the tenant or occupier', and in the meantime you should open any mail addressed to the occupier. If it does contain a notice of possession proceedings, you should make contact with the landlord or directly with the mortgage lender as

soon as possible. Eviction isn't inevitable – speak to a housing adviser who will be able to discuss the options available. The Shelter helpline is open from 8am-8pm every day, on 0808 800 4444.

There is still much more to do and Shelter will continue to lobby for better tenant rights.

**Nicola Hughes**  
Policy Officer, Shelter



# News in Brief

## Housing Advice Service Relocation

As from August, the Housing Advice Centre at 179 West End Lane has been relocated to Bidborough House in Euston.

They can still be contacted on 020 7974 8855 for telephone advice and the main drop-in service will now be at the Town Hall Extension, Argyle Street, WC1H.

There will also be 2 outreach/drop-in services in the north of the borough at Kilburn Library and Kilburn Citizens Advice Bureau.

For details of the days and times of these, contact 020 7974 5801 or email: [housingneeds@camden.gov.uk](mailto:housingneeds@camden.gov.uk)

## Elderly Tenant Successfully Fights Eviction

Patricia Whitehouse, an elderly tenant who lives in Hampstead and who was described as a "much loved figure in the street" has successfully fought off attempts by her landlord to sell the property and evict her.

It was originally purchased for £32,000 and the landlord was looking to sell it with 3 garages for as much as £4,000,000. With vacant possession it would have been worth £1.2 million more.

Because she is a Rent Act protected tenant Mrs Whitehouse was offered an alternative flat nearby, but because it was smaller and she faced the distress and disruption of moving from her home for the past 45 years – she refused it.

The landlord then took her to court to seek possession of the property, which was granted by a county court judge.

Mrs Whitehouse then appealed to the Court of Appeal, who agreed with her that the county court had not properly considered whether it was reasonable to order possession.

Mrs Whitehouse in a letter to the Camden Federation of Private Tenants said, "I am grateful for the help and support that I have received from my family, friends and neighbours and even those, like yourself,

that I do not know and have not approached. It is so heart warming".

## the national conversation

Social housing tenants from across the country took part in the first phase of the Tenant Service Authority's (TSA) National Conversation. They listed getting repairs and maintenance right, ensuring homes are up to date and in a decent condition, tackling anti-social behaviour and being involved in decisions as their top priorities.

The second phase, will be about the draft standards that will apply to all social housing landlords in England from 2010. They focus on six key themes – the services offered to tenants which include repairs and maintenance and neighbourhood management, tenant empowerment and involvement, the tenancy agreement which covers rents and allocations, governance, viability and value for money.

If you are interested in having your say about these standards or want more information about the TSA or their National Conversation go to the website at: [www.nationalconversation.org.uk](http://www.nationalconversation.org.uk)

## All Change At The Top

Ian Austin MP has been appointed as the new minister with responsibility for the private rented sector.

The new Housing Minister is John Healey MP while the new Secretary for Communities and Local Government (the department that covers housing) is John Denham MP.

## More Like Europe ?

The Homes and Communities Agency which, in London, is chaired by the Mayor Boris Johnson has launched a Private Rental Sector Initiative (PRSI).

It is hoped that bodies such as UK pension and overseas funds which have not traditionally been involved in residential letting, may be brought into the market for the first time.

Camden Federation of Private Tenants has said "We cautiously support the provision of more private rented homes by increasing institutional investment, but think it is important to ensure that this does not just focus on the "top end" of the market, but provides a variety of property types at a variety of different rent levels.

We are also heartened to see that a more "long term" approach is now being taken in terms of investment returns to this part of the housing market. This is more akin to the European approach where it is institutions rather than individual landlords, who are in the majority in the private rented sector.

Hopefully this will help to drive up standards in the sector, particularly in the all-important area of housing management, which have traditionally been very weak and somewhat unprofessional."

## Court Rules Housing Associations Are Public Bodies

The Court of Appeal ruled in June that housing associations are public bodies, and susceptible to claims under the Human Rights Act.

This ruling backs a High Court decision made a year ago, and it leaves the country's 2,000 plus registered social landlords or RSLs open to potentially costly judicial review proceedings.

London & Quadrant housing association had argued that the decision should be overturned and claimed that their and other housing organisations' future ability to finance their operations could be damaged by the judgement.

The ruling originated from the case of an L&Q tenant who was fighting eviction from her London home due to rent arrears. Her lawyers argued that the eviction breached her legitimate expectation that all reasonable alternatives would be pursued before beginning possession proceedings. It was also argued that the eviction attempts breached her Human Rights to "family life".

# Residents Overthrow 'Clamp Con' Landlord

Residents of Frognaal Estate in Finchley Road are hoping they're seeing the end to a six-year saga of mismanagement by RFYC Ltd, who hold the head lease on the properties

Fed up with the shenanigans of RFYC, run by Norman Freed, his son Simon and nephew Chayim, they have gained Leasehold Valuation Tribunal approval for management by a company nominated by the residents.

Frognaal Estate Residents' Association cited 24 instances where Freed had neglected safety issues and let the property deteriorate while failing to pay cleaners and power bills. It's been alleged that sales of flats and lease renewals were obstructed by demands for back-payment of improper service charges.

## Cowboy Landlord And Clamper Posse Hit The Headlines

Freed had previously seized a car park used for decades by residents, many of whom have contracts stating that their flat includes free parking. He demanded £30+VAT a week to park and turned the space into a public pay and display car park.

In April 2007 court action by residents established that land between the buildings was for their use exclusively. In contempt of court, Freed continued to let spaces in the car park to shopkeepers. The sole remaining director of the company, Chayim Freed seemingly evaded action for contempt by fleeing abroad.

Freed and his son Simon were long ago banned as company directors by the Department of Trade but his recent comments to the press suggest that he's still in control of RFYC. This was noted by the judge in the 2007 case, who notified government officials.

Direct Parking Solutions, retained by Freed, immobilised any vehicle stopping on the site, however briefly. Residents were deprived of the services of builders and minicabs. Addison Lee and Parcellforce were held to ransom for £300 for a few minutes stay, so then refused to deliver to the estate.

Several weeks running the local Hampstead & Highgate Express made headlines of complaints by traders that they had been tricked into parking on the site by phone calls asking them to pick up from a non-existent flat. After a fruitless search they found vehicles clamped and a demand for £300 for calling a tow truck (even though the victim was present to remove the vehicle).

In four out of five cases raised, Direct Parking Solutions breached guidelines established by the parking industry. The Ham & High described as "downright dangerous" allegations that they sneaked up behind occupied cars to apply a small clamp to a rear wheel. A driver could unknowingly set off with the clamp attached, causing a serious accident.

Residents have an implied right to set-down and pick-up from outside their homes, clearly being breached by the clamping and, arguably, amounting to harassment under housing law.

The new managing agents have reappointed a clamping firm

that previously worked harmoniously with residents.

## Goodbye – And Take Your Crazy Building Plans With You

Other locals will be hoping that the end of Freed's reign as manager will bury his fantastical scheme to add floors to the buildings, despite a history of subsidence on the estate, which is partly located above two railway tunnels. Nearby, large houses on the corner of Netherhall Gardens and Nutley Terrace were demolished in the 1990s because they were subsiding into the ground above these same tunnels.

Frognaal Estate's buildings date from the 1930s and have been neglected under a succession of landlords including the Pears family (famously named as the UK's worst landlords in a TV show some years ago). Ageing concrete and steel does not look a prime candidate for piling on hundreds of tons of extra construction required to add 17 new flats on the roofs. The possibility that the resulting monstrosity might collapse into the railway tunnels may have escaped Camden's planners' attention and Network Rail (freeholders of the site) remained unaware of Freed's plans because a key employee was absent on maternity leave.

In evidence to the LVT, the residents' surveyor Bruce Maunder Taylor detailed "the landlord's insistence in pursuing management issues in a manner that best suits the landlord's interests and litigate when there is resistance from lessees, rather than accept a proper and reasonable approach".

## Not Out Of The Woods Yet

It remains to be seen whether gaining management of the estate proves to be a poisoned chalice. Freed bought an 84 year lease on the four blocks in 2004 for a mere £90,000 (less than the market value of just one of the 50 flats). It was a snip because the Pears dumped the property at auction leaving lifts that failed in 1990 unrepaired. In the intervening 14 years, new legislation requires their complete replacement.



## Stalling In The Rain

Despite several heavy downpours of rain throughout the day, we managed to speak to a number of private tenants at our stall at the annual Swiss Cottage Festival in July.

Community events are always a good opportunity to meet people, hear what the issues of concern are, offer advice and let more people know about the organisation and what we do.

Like the rest of July, the sun did make a sporadic appearance which helped to keep our spirits up when we were mopping up puddles and drying off the leaflets.



## Fair Rents?

Alison Pickering, a Rent Officer with The Rent Service recently spoke at a packed meeting of tenants, at our Marr offices.

She explained what the rent service does, and the recent changes that had taken place within it following its transfer to the Valuation Office Agency (VOA).

She then went on to answer a variety of questions from the floor about Fair Rents. A Fair Rent is what you have if you live in a property that was let before January 1989. Unlike Assured Shorthold Tenancies (ASTs), which is what private tenants have today, the rent is registered and set by the rent officer every two years, as opposed to it being set by the landlord.

However, concerns were expressed, that while rents are either staying the same or falling in other parts of the private rented sector, those that are set by the rent officer are currently increasing by around 8%, causing much anxiety for those who have to get by on savings, a low income or pension.

Updates were also given on what our organisation had been doing particularly with regards to our increased policy and campaigning work, and the re-location of the council's West End Lane housing advice service to Euston.



## National HMO Network Conference 2009

In May I travelled up to Newcastle-on-Tyne to attend the National HMO (Houses in Multiple Occupation) Conference.

The delegates to the conference were welcomed to the city, which has been transformed dramatically over the last decade. In attendance were environmental health officers from various local authorities throughout the country and many private landlords.

The conference took place at Newcastle United's football ground where we were welcomed by the Mayor of Newcastle. This was followed by the keynote speech given by Doctor Julie Rugg from the Centre for Housing Policy at York University. I was pleasantly surprised to find that Julie Rugg had quite a balanced view of the landlord tenant relationship and attempted to lay to rest the notion of tenants as disempowered victims. She drew attention to the anti-landlord culture that exists in this country with landlords being perceived negatively by the public. In fact a recent survey showed that 76% of private tenants were happy with their landlords compared to 70% in social housing.

In the break after Julie's speech, I had the opportunity to browse through a landlord publication and learnt that the latest scourge being faced by landlords is having their properties transformed into cannabis factories.

After lunch, Jim Vine from the Building and Social Housing Foundation spoke to us about the housing issues faced by migrant workers.

Finally, I attended a workshop about anti-social behaviour and how two members of Bolton Council are working with private landlords to address problems in HMOs in the centre of the city. One innovative solution, when faced with tenants letting fireworks off in the property, was to gather them all together and expose the culprits in a group situation.

All in all, a thought-provoking day and one in which I developed a sense that it is not all landlord versus tenant and that there are good and bad on both sides and, as always, much work to be done.

**Susan Aykroyd**

# Book your place for 'A borough of opportunity' Conference



On Friday 30th October Camden will hold a one day conference and activity day to update older people on its 5 year plan, 'A borough of opportunity for people in their 50s and beyond'.

Get expert advice and information on services and opportunities from organisations like Age Concern Camden and Camden's active health team and enjoy fun activities including a head and shoulder massage, Tai Chi and live performances. Free lunch is available.

**The conference will take place at Haverstock School, 23 Haverstock Hill, Chalk Farm, NW3 2BQ, from 10 am to 4pm.**

You will need to book a place by contacting 020 7974 3247 or 020 7974 4523 or email [promoting.independence@camden.gov.uk](mailto:promoting.independence@camden.gov.uk)



## Landlord Watch

### Twitterer's Beware

A fed up private tenant in the USA who posted a message on the Twitter website about her mouldy flat, has been left facing an eye watering £30,000 court case.

Amanda Bonnen posted the brief message, which said "Who said sleeping in a mouldy apartment was bad for you? Horizon really thinks it's OK".

Unfortunately for her Horizon Group Management LLC, a Chicago-based agency who own 1,500 properties took offence at her comments, claiming its reputation was damaged by the fact that the website's 17 million users could see them.

Interestingly, although Bonnen's account was set to public (meaning any Twitter user could see it) she only had around 20 followers.

Horizon described themselves as a "sue first ask questions later kind of organisation."

Given that the original post would have only been seen by a handful of people, and is now all over the Internet -maybe they should now be described as a "shoot themselves in the foot kind of organisation."



### Frank Hallet

We were sorry to hear in July of the death of CFPT member Frank Hallet OBE at the age of 83.

Frank had a distinguished record in the RAF. He was the sole survivor of a Lancaster crew hit by anti-aircraft fire in the Second World War and suffered extreme cruelty at the hands of guards when captured in the Korean War, before escaping due to the kindness of a local villager.

He later worked for UK Customs and Excise and the United Nations. In retirement he kept his formidable intellect sharp compiling crosswords for the Daily Telegraph.

He moved into a flat in Albany Street in the 1960s and became a severe critic of his landlords, the The Crown Estate.



## Where to go for Housing Advice in Camden

### Camden Council Private Sector Housing Advice Team

179-181 West End Lane  
NW6 2LH  
Tel: 020 7974 8855 (between 9.30am–5.00pm)  
Monday, Thursday, Friday (9.30am–4.00pm, drop-in)  
Tuesday (9.30am–1.00pm, 4.00pm–7.00pm, drop-in)  
Wednesday (closed)

### Camden Community Law Centre

2 Prince of Wales Road  
NW5 3LG  
Tel: 020 7284 6510  
Monday, Wednesday, Friday (10.00am–4.00pm, drop-in)  
Wednesday evening (appointment only)  
Camden Town Neighbourhood Advice Centre

### Mary Ward Legal Centre

26-27 Boswell Street  
WC1N 3JZ  
Tel: 020 7831 7079 (call for more information about housing advice availability)  
Monday, Tuesday, Thursday, Friday (10.00am–1.00pm, 2.00pm–5.00pm)  
Wednesday (open to existing clients only)

### Fitzrovia Neighbourhood Association

39 Tottenham Street  
W1T 4RX  
Tel: 020 7580 4576  
Tuesday (10.00am–1.30pm, open door advice service)

### The College of Law – Legal Advice Centre

14 Store Street  
WC1E 7DE  
Tel: 01483 216528  
(call to make an appointment)

### BPP Law School – Legal Advice Clinic

68–70 Red Lion Street  
WC1R 4NY  
Tel: 020 7430 5668 (call to make an appointment)

### Shelter London Housing Advice Line

Tel: 020 7014 1540 (telephone advice only)  
Monday – Friday (10.00am–1.00pm)

## The recession How we can help you

If you're affected by the recession, we can help.

All 13 of our libraries are open to everyone. Membership is free and so are most of our services.

We have put together an online guide to surviving the recession.

Visit [camden.gov.uk/recession](http://camden.gov.uk/recession) or call 020 7974 6666 for advice on issues including business, council tax, finance, housing, jobs and training, and benefits.



[camden.gov.uk/libraries](http://camden.gov.uk/libraries)



## Housing Advice for Leaseholders

### Leasehold Advisory Service

Provides free legal advice to leaseholders, landlords, professional advisers, managers and others on the law affecting residential leasehold and commonhold.

Monday-Friday (9.30am-5.00pm)

Tel: 020 7374 5380

Email: [info@lease-advice.org](mailto:info@lease-advice.org)

Website: [www.lease-advice.org.uk](http://www.lease-advice.org.uk)

### Private Sector Housing Advice Team

(see box on the left for their details).

## ARE YOU A LOCAL BUSINESS?

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It's cost effective and goes out to a wide variety of individuals and organisations across Camden.



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# MEMBERSHIP FORM



# CFPT needs you

Become a member of  
**Camden Federation of Private Tenants**

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**Camden Federation of Private Tenants**

## CFPT is the voice of private tenants in Camden

- We work with and support private tenants in Camden to organise and campaign for better protection, rights and services.
- We lobby the government, the council, landlords and a variety of other bodies and organisations to get things changed and improved.
- We work closely with other local community groups, organisations and national charities such as Shelter.
- We also signpost people to advice agencies, and provide information, support and basic advice on a wide variety of tenancy-related issues.

## If you are interested in getting involved with us you can:

- Become a member (see the left hand side of this page for details of how to join)
- Become a volunteer (visit our website for more about this)
- Join the Management Committee (call or email us about this)

## Translation

**CFPT est la voix des locataires dans le secteur privé de la municipalité de Camden.** Nous travaillons avec les locataires du secteur privé de la municipalité de Camden et nous les soutenons pour qu'ils s'organisent et mènent une campagne afin d'obtenir une meilleure protection, le respect de leurs droits et une prestation de services.

**CFPT es la voz de los inquilinos del distrito de Camden.** Trabajamos con los inquilinos del distrito de Camden y les ayudamos a organizarse y a conseguir más protección, derechos y servicios.

**CFPT é a expressão dos inquilinos privados em Camden.** Nós trabalhamos com os inquilinos privados em Camden e lhes damos apoio para organizar e fazer campanha por melhores direitos, serviços e proteção.

**CFPT waa codka gaarka ah ee ijaartayaasha xaafada Camden.** Waxaan la shaqaynaa oo ka caawinaa ijaartayaasha Camden in ay is habeeyaan uuna ololeeyaan kobcinta amaanka, xaquuqdooda iyo adeega.

ক্যামডেনে বসবাসরত বেসরকারী ভাড়াটিয়াদের কষ্টপূর্ণ হচ্ছে সিএফপিটি । আমরা ক্যামডেনে বসবাসরত বেসরকারী ভাড়াটিয়াদের সঙ্গে একত্রে কাজ করি। এবং তাদের আরো অধিকতর রক্ষনাবেক্ষন, অধিকারসমূহ এবং অন্যান্য সেবার জন্য সংগঠিত হতে এবং প্রচারাভিযান চালাতে সহায়তা করি ।

هي صوت المسأجرين الخاصين في كامدن. المسأجرين الخاصين في كامدن فيديريسيون للقيام بتنظيم وإدارة حملة من أجل الحصول على حماية نحن نعمل مع المسأجرين الخاصين في كامدن ونقدمهم وحقوق وخدمات أفضل.

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### Camden Federation of Private Tenants

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**Tel:** 020 7383 0151 **Email:** admin@cfpt.org.uk **Web:** www.cfpt.org.uk

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- As a member of CFPT you will receive the quarterly newsletter, be kept informed of current housing issues, changes in legislation and relevant campaigns.
- You will also receive invites to meetings, events and have free access to our office resources.
- By joining, you are helping to make us a bigger, stronger and more effective organisation.

1 Name \_\_\_\_\_

Address \_\_\_\_\_

Phone no \_\_\_\_\_

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2 I/We wish to have annual membership of CFPT as an:

- Individual member £10  
 Individual student member £5  
 Group member\* £30

Name of group\* \_\_\_\_\_

3 I am a: (please tick one)

- Regulated Tenant  
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 Assured Tenant  
 Housing Association Tenant  
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4 I would like to make a donation of (optional) £ \_\_\_\_\_

Total amount paid £ \_\_\_\_\_

Signed \_\_\_\_\_

Date \_\_\_\_\_

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