



english leasehold reform

Office of Fair Trading
Cartels

“9th May 2008

Dear Sirs,

Re: Competition Law

Further to our conversation on 19 May 2008

As regards price-fixing, we would draw your attention to Lord Falconer’s speech during the Parliamentary debate on the 2002 Commonhold and Leasehold Reform Act. Lord Falconer, in reply to a leaseholder, stated, “this Bill is the result of a bargain between the interested parties”. Leaseholders, though indeed an interested party, were not privy to that bargain and had no knowledge of it until he spoke. The mere mention of the word “parties” is an indication of the existence of a cartel, particularly as the leaseholders were not privy to the bargain.

Following Lord Falconer’s disclosure of the existence of a “bargain”, three questions were put down in the House of Lords by Lord Jacobs (26 March: Was there a bargain? 24 April: Who represented the leaseholders in the bargain? 13 May: What was the bargain? Why is it not possible to say who represented the leaseholders in the bargain? Who represented the landlords in the bargain?), The government replies prevaricate and avoid answering these questions.

The longstanding lobbying groups are also participants in this complaint.

We would much appreciate your response to all matters raised in our complaint and your comments regarding paragraph 2 and 3 of this letter.

Yours faithfully,

D. Sylvester