
Fil- Prim' Awla tal- Qorti Civili
Onor. Imhallef Mark Chetcuti LL.D.

Subbasta Numru

30/19

Simonds Farsons Cisk plc.

Vs

Keith Perry et.

Relazzjoni tal- Perit Tekniku

Dr. Robert Musumeci LL.B. LL.D. Pub. B.E.&A.(Hons.) M.Sc. (Conservation Tech.) Perit

Relazzjoni tal-Perit tekniku Robert Musumeci

Jesponi bir-rispett:

PRELIMINARI

1. Illi b'digriet moghti lilu nhar l-ghaxra (10) ta' Lulju, 2019, l-esponenti gie nominat bhala perit espert fl-Att tas-Subbasta Nru 30/19 fl-ismijiet *Simonds Farsons Cisk plc. vs Keith Perry et u dan sabiex 'jaghmel deskrizzjoni tal-fond jew fondi indikat fir-rikors promotur u sabiex ifisser il-pizijiet, kirjet u jeddiet ohra, sew reali kemm personali, jekk ikun hemm, li ghalihom dan il-fond jew fondi ikun suggett kif ukoll l-ahhar trasferiment tieghu, skond l-informazzjoni li jkun ha mill-kreditur jew mid-debitur'* (Ara Dokument RM1 fl-anness);
2. Illi in segwitu ghal din in- nomina, l-esponenti zamm access nhar is-sitta (6) ta' Awwissu 2019 fuq is-sit indikat fir-rikors promotur, u cie' l-villa bl-isem '*The Perry's*', 148, Triq Antonio Schembri, Kappara u dan fil-presenza tal-intimat KEITH PERRY (ID 12072(M));
3. Illi sadanittant, dakinhar stess tas-sitta (6) ta' Awwissu 2019, l-intimat KEITH PERRY (ID 12072(M)) informa lill-esponenti li l-

proprietajiet l-ohra ndikati fir-rikors, cioe' il-*maisonette* fi Triq l-Ghenba, Attard u t-*terraced house* numru 169, Triq Rudolfu, Sliema kienu gew trasferiti lil terzi numru ta' snin ilu;

4. Illi ghalhekk l-esponenti jinsab f'pozizzjoni li jipprovdi biss il-valur tal-fond bl-isem '*The Perry's*', 148, Triq Antonio Schembri, Kappara.

RIZULTANZI

1. Illi minn dak li rrizulta waqt l-access ta' nhar is-sitta (6) ta' Awwissu 2019 fil-fond bl-isem '*The Perry's*', 148, Triq Antonio Schembri, Kappara, l-esponenti jinsab f'pozizzjoni li jikkonferma dan li gej:

1.1 Illi dan il-fond jikkonsisti minn binja fuq tlett sulari 'il fuq mil-livell tat-triq;

1.2 Illi skont in-North Harbour Local Plan, il-fond jinsab f'zona desinjata bhala *villa area*;

1.3 Il-plot *area* tammonta ghal *circa* 400 m.k.;

1.4 Illi skont ir-rikors, il-fond huwa suggett ghal cens temporanju ta' 150 sena li beda jiddekorri fl-ewwel (1) ta' Jannar 1967. Dan ifisser li l-imsemmi cens jiskadi fis-sena 2117, allura 98 sena ohra;

1.5 Illi skont l-intimat KEITH PERRY (ID 12072(M)), l-ammont tac-cens li jithallas kull sena huwa ta' €125¹;

¹Din l-informazzjoni ma setghetx tigi korroborata

1.6 Illi essenzjalment, il-fond huwa mqassam fuq tlett sulari bil-mod kif gej:

1.6.1 Garaxx fil-livell tat-triq b'access provdut mill-istess triq u li jakkomoda sa seba' vetturi ostakolati. Dan il-garaxx jinsab fil-genb tal-plot, ezattament fuq in-naha tax-xellug. Dan il-garaxx jinfed internament mal-kumplament tas-sit permezz ta' tarag miftuh;

1.6.2 Livell intermedjarju fuq in-naha ta' quddiem tal-plot u li jinqabad bejn il-livell tat-triq u l-ewwel sular. Dal-livell huwa accessibili permezz ta' bieb indipendenti minn gos-sit stess u ghandu l-aperturi ghal barra. Jidher li dal-livell qed jintuza ghal skop ta' abitazzjoni anke jekk il-*clear height* huwa anqas minn dak li tippreskrivi l-ligi sanitarja;

1.6.3 Residenza (*cioe' semi-detached villa*) fuq zewg sulari bl-arja sovrastanti, imdawra b'*curtilage* fuq tlett nahat, *ossija* terazzin fuq quddiem, iehor fil-genb u bitha bil-*pool* fuq wara;

1.6.3.1 It-tqassim tar-residenza kien jikkonsisti hekk kif gej:

1.6.3.1.1 Fl-ewwel sular, allura l-*ground floor* tar-residenza: *hallway, combined living/dining, kcina fitted u spare toilet*;

1.6.3.1.2 Fit-tieni sular, allura l-ewwel sular tar-residenza: erbat ikmamar tas-sodda u kamra tal-banju;

1.6.3.1.3 Fit-tielet sular, allura t-tieni sular tar-residenza: bejt li fil-prezent m'ghandux access;

1.6.3.2 Il-built up footprint mil-livell tar-residenza 'il fuq tammonata ghal *circa* 122 m.k., ekwivalenti ghal *circa* 30% tal-polt area;

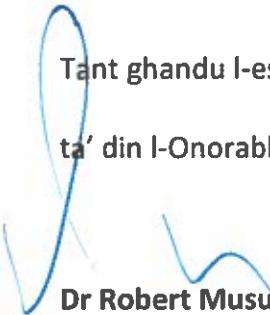
1.6.3.3 Ir-residenza tista' titqies bhala abitabbi u tinsab fi stat *finished* anke jekk dakinhar ta' l-access kienu qed isiru xi rinnovazjonijiet fuq in-naħa ta' gewwa. Il-bieb principali jikkonsisti minn *panelled door* ta' l-injam filwaqt li bibien interni ma kienx hemm. L-aperturi esterni huma ta' l-aluminum ta' lewn abjad. L-art fuq gewwa hi ccangjata bil-madum tat-terrazzo. L-art ta' barra madwar ir-residenza hi ccangjata bil-creteprint. It-tarag intern li jghaqquad il-ground floor u l-ewwel sular tar-residenza huwa ccangjat bl-irham u atrezzat b' railing tal-hadid iddisinjat u poggjaman tal-injam. Il-kamra tal-banju fl-ewwel sular, allura l-ground floor tar-residenza, hi atrezzata bil-madum tac-ceramika, sink, banju u wc. Il-hitan u s-soqfa tal-fond huma mkahhla u miksija bil-water paint. L-elettriku, id-dawl u s-servizz tad-drenagg jidher mghoddi;

1.7 L-istruttura tal-fond tikkonsisti minn hitan tal- gebel u soqfa tal-konkos. Mill-ewwel daqqa t'ghajn, ma gewx osservati difetti fil-istruttura;

1.8 Ghalkemm l-esponenti ma inghatax kopja tal-permessi tal-ippjanar relativi, ma jidhix li l-bini hu munit b'xi *enforcement notice* u dan jista' jinghad wara li saru d-debiti verifici mal-website ta' l-Awtorita' ta' l-Ippjanar;

2 Meta l-esponenti kkunsidra l-fatturi rilevanti kollha, inkluz it-tip ta' proprjeta' u l-prezz tas-suq ta' proprjetajiet ohra simili fil-madwar, hija l-fehma ta' l-istess esponenti li l-valur kumplessiv ta' din l-imsemmija proprjeta' jamonta ghal prezz ta' **€1,170,000 (miljun, mijja w sebghin elf ewro)** u dan dejjem jekk wiehed jikkunsidra li l-fond huwa suggett ghal cens temporanju ta' 150 sena li beda jiddekorri fl-1 ta' Jannar 1967 u ammontanti ghal €125 kull sena.

Tant għandu l-esponenti x'jissottometti għal wisq aktar savju gudizzju ta' din l-Onorabbi Qorti.


Dr Robert Musumeci
LL.B. LL.D. B.E.&A.(Hons) M.Sc. (Cons.Tech.) Perit
Perit Tekniku

ILLUM... 22 ta' Dicembru /
DEHER IL-PERIT LEGALI/TEKNIKU.....
29.6.24.M.....LI HALEF LI QEDA FEDELMENT
U ONESTAMENT L-INKARIGU MOGĦTI LILU

Gaetana Aquilina
Deputa REGISTRATUR
Deputy Registrar
Qrati tal-Ġustizzja (Malta)
Law Courts (Malta)

ELENKU TA' DOKUMENTI

- **DOK RM1:** Digriet tal-ghaxra (10) ta' Lulju 2019;
- **DOK RM2:** Kopja ta' l-ittra li ntbaghtet lill-partijiet fejn gew infurmati li kien se jinzamm it-tieni access fuq il-fond *in disamina* nhar is-sitta (6) t'Awwissu 2019;
- **DOK RM3:** *Site plan u pjanta skalata tal-fond in disamina* flimkien ma' ritratti li ttiehdu waqt l-access li nzamm nhar is-sitta (6) t'Awwissu 2019;
- **DOK RM4:** *Workings* sabiex gie stabbilit il-valur tal-utile dominum

DOK RM1
Digriet tal-ghaxra (10) ta' Lulju 2019

QM, OBTAIN SPORL



Fil-Prim Awla' tal-Qorti Ċivili

Fl-Att tas-Subbasta Nru. 30/19

Simonds Farsons Cisk p.l.c

vs

Keith Perry et

Illum, 10 ta' Lulju 2019

Lill: Perit Robert Musumeci

Inti mgharraf illi gejt maħtur bħala espert fl-atti tal-Mandat ta' Qbid ta' Hwejjeg Immoblli hawn fuq imsemmi sabiex tagħmel deskrizzjoni tal-fond jew fondi indikat fir-rikors promotur u sabiex tħisser il-pizijiet, kirjet u jeddiet ohra, sew reali kemm personali, jekk ikun hemm, li għalihom dan il-fond jew fondi ikun suggett kif ukoll l-aħħar trasferiment tiegħu, skond l-informazzjoni li jkun ha mill-kreditur jew mid-debitur.

Inti mitlub sabiex tīġi tiġbor l-inkartament relativ mil- 15 ta' Lulju 2019 'i quddiem filwaqt illi mgharraf illi għandek sat- 18 ta' Settembru 2019 sabiex tipprezzi r-rapport dettaljat tiegħek.


Gaetana Aquilina
Deputat Registratur

Sup 3 Għo

DOK RM2

Kopja ta' l-ittra li ntbaghtet lill-partijiet fejn gew infurmati li kien se
jinzamm it-tieni access fuq il-fond *in disamina* nhar is-sitta (6)
t'Awwissu 2019

Simonds Farsons Cisk Ltd
The Brewery
Mrieħel

Keith Perry u Sylvia Perry
The Perry's, Triq Ant. Schembri
San Gwann

Keith Perry u Sylvia Perry
171, Chick King, Constitution Street
Mosta

Keith Perry u Sylvia Perry
148, Triq Antonio Schembri
Kappara

Keith Perry u Sylvia Perry
169, Triq Rudolfu,
Sliema

30 ta' Lulju 2019

Sinjuri,

| | |
|------------|---|
| Cit. Nru. | FL-atti tas-Subbasta nru 30/19 – Simonds Farsons Cisk Ltd v Keith u Sylvia Perry |
| Rif Tagħna | SUB366 |

B'referenza għas-subbasta sicutata, ninfurmakom li ser jinzamm access iehor fil-proprietajiet seguenti u dan peress li l-intimati ma dehrux ghall-ewwel access minkejja li kienu debitament prenotati. Il-proprietajiet li għandhom jigu spezzjonati skont ordni tal-Qorti huma s-segwenti:

- 148, Triq Antonio Schembri, Kappara
- 169, Triq Rudolfu, Sliema
- *Maisonette*, Triq I-Għenba, Attard

L-access sabiex jigu spezzjonati l-imsemmija proprietajiet ser jinzamm fid-data u hin indikati:

6 t'Awwissu 2019 fil-hin tan-12:30pm – 148, Triq Antonio Schembri, Kappara

6 t'Awwissu 2019 fil-hin tas-1:00pm – 169, Triq Rudolfu, Sliema

6 t'Awwissu 2019 fil-hin tas-1:30pm – *Maisonette*, Triq I-Għenba, Attard

Ghalhekk nitlobkom tiltaqghu nhar is-6 t'Awwissu 2019 fil-hin tan-12:30pm quddiem il-fond
148, Triq Antonio Schembri, Kappara

Din l- ittra qed tintbaghat ukoll lill- avukati tal-partijiet.

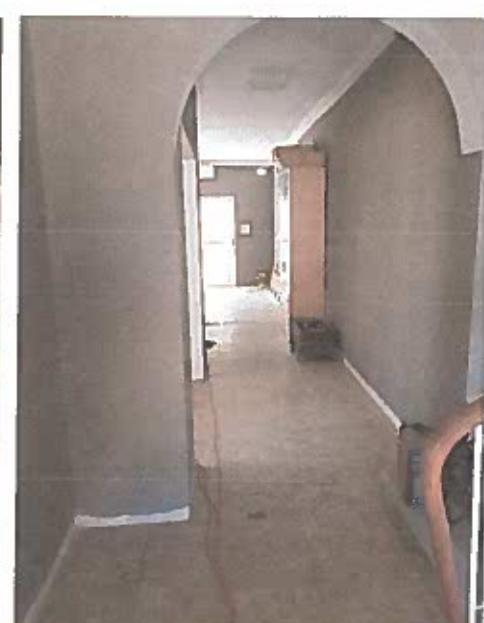
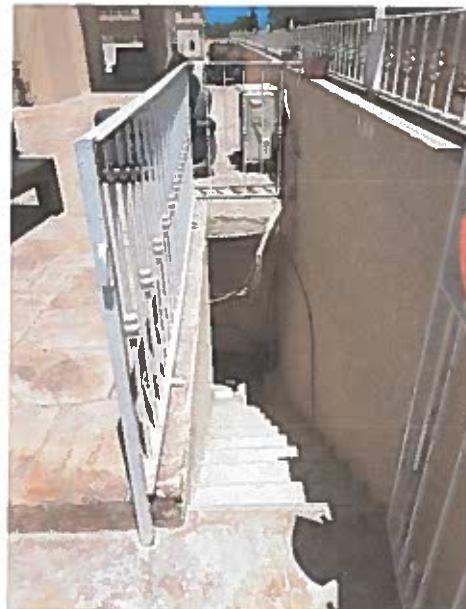
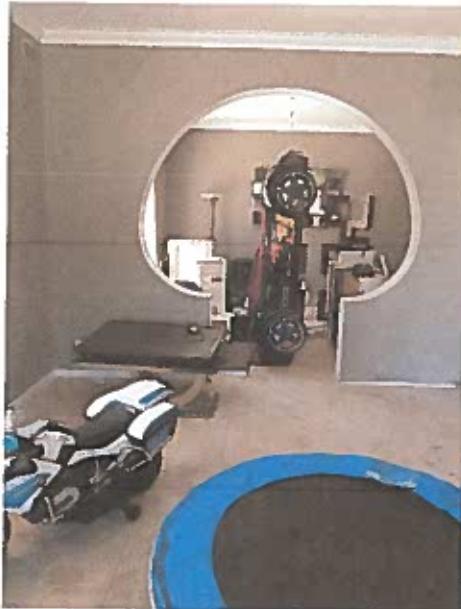
| 2

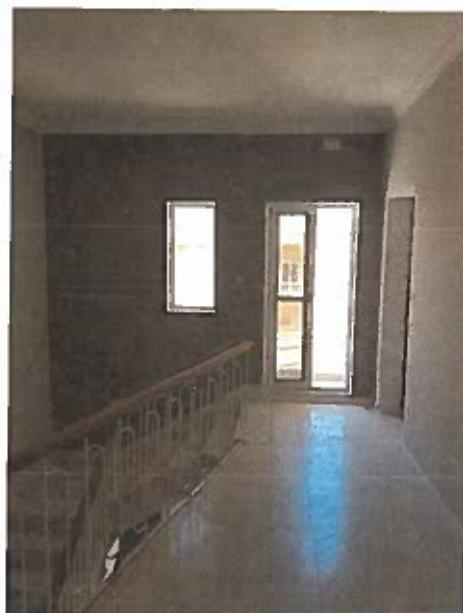
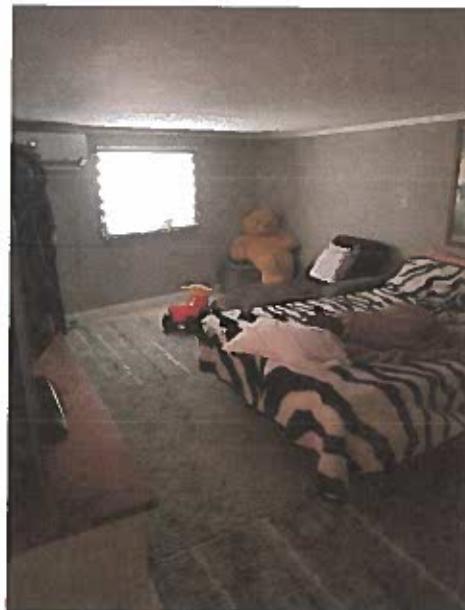
Dr Robert Musumeci
LL.B. LL.D. B.E.&A.(Hons) M.Sc. (Cons.Tech.) Perit

cc Av Maria Karlsson – 14, Triq Mula, Zebbug

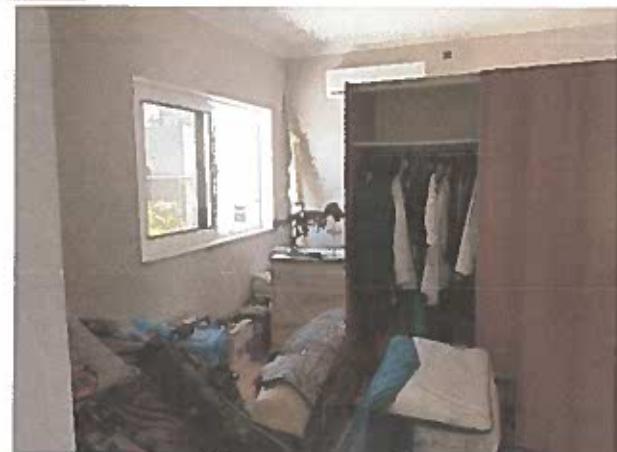
DOK RM3

Site plan u pjanta skalata tal-fond in disamina flimkien ma' ritratti li ttiehdu waqt l-access li nzamm nhar is-sitta (6) t'Awwissu 2019











Government of Malta

Land Registry

Casa Bolino 116 Triq il-Bumenti Valletta

Parti min S.S.: 5274 Data: 09/08/2019

Data: 09/08/2019

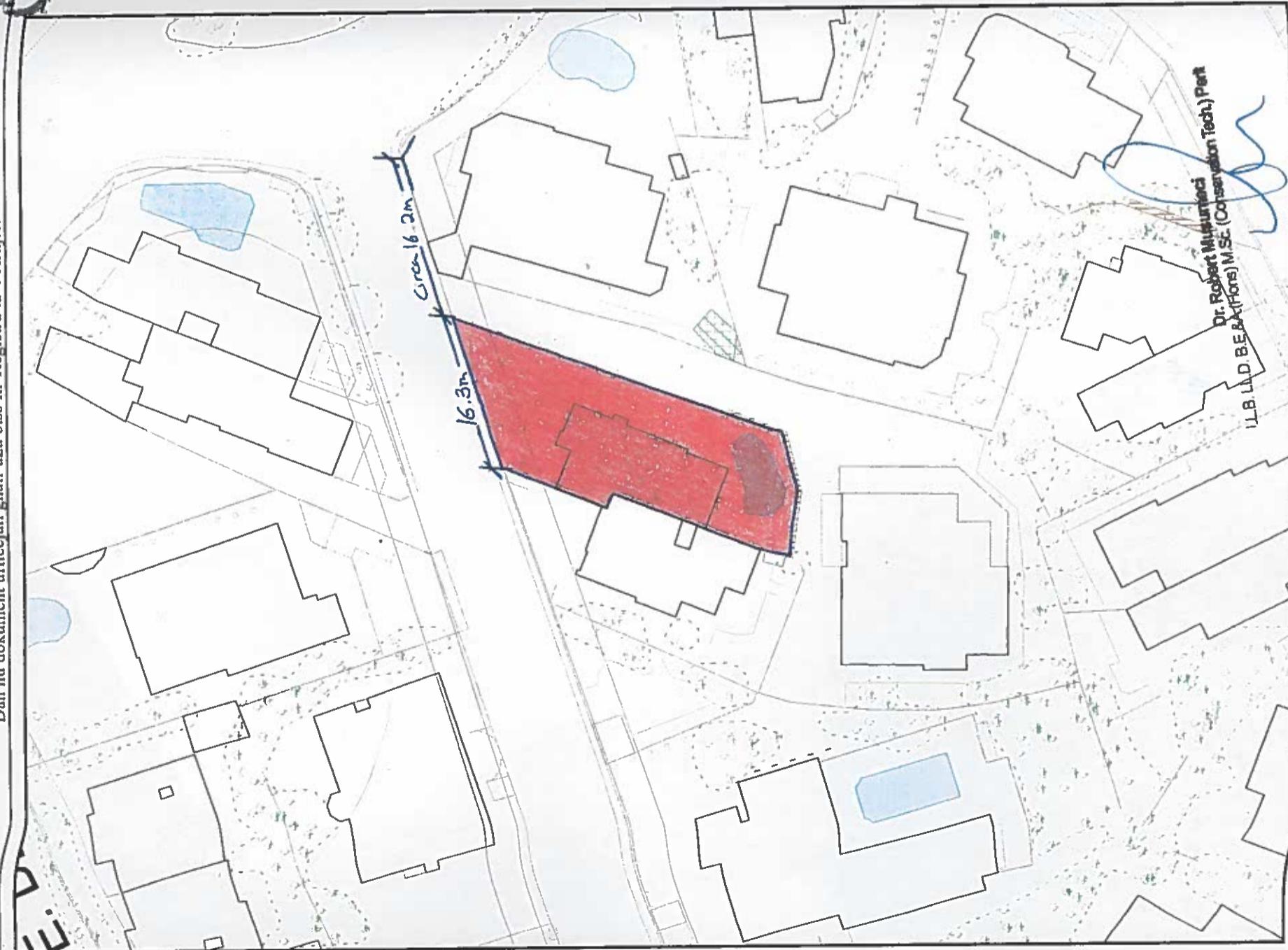
Qies (metri kwadri): Circa 401 m².

Qies (metri kwadri):

Firma ta' l-Applicant:
Applicant's Signature

Firma ta'l-Applicant:
Applicant's Signature:
Timbru ta'l-Applicant
Dr. Rashed Al-Sa'ib, B.E. & A.I.Hors) M.Sc. (Conservator)

LR 121796



0 10 20 30 40 50m
Scale 1:500

DOK RM4
Workings sabiex gie stabbilit il-valur tal-utile dominum

Valur tad- directum dominium

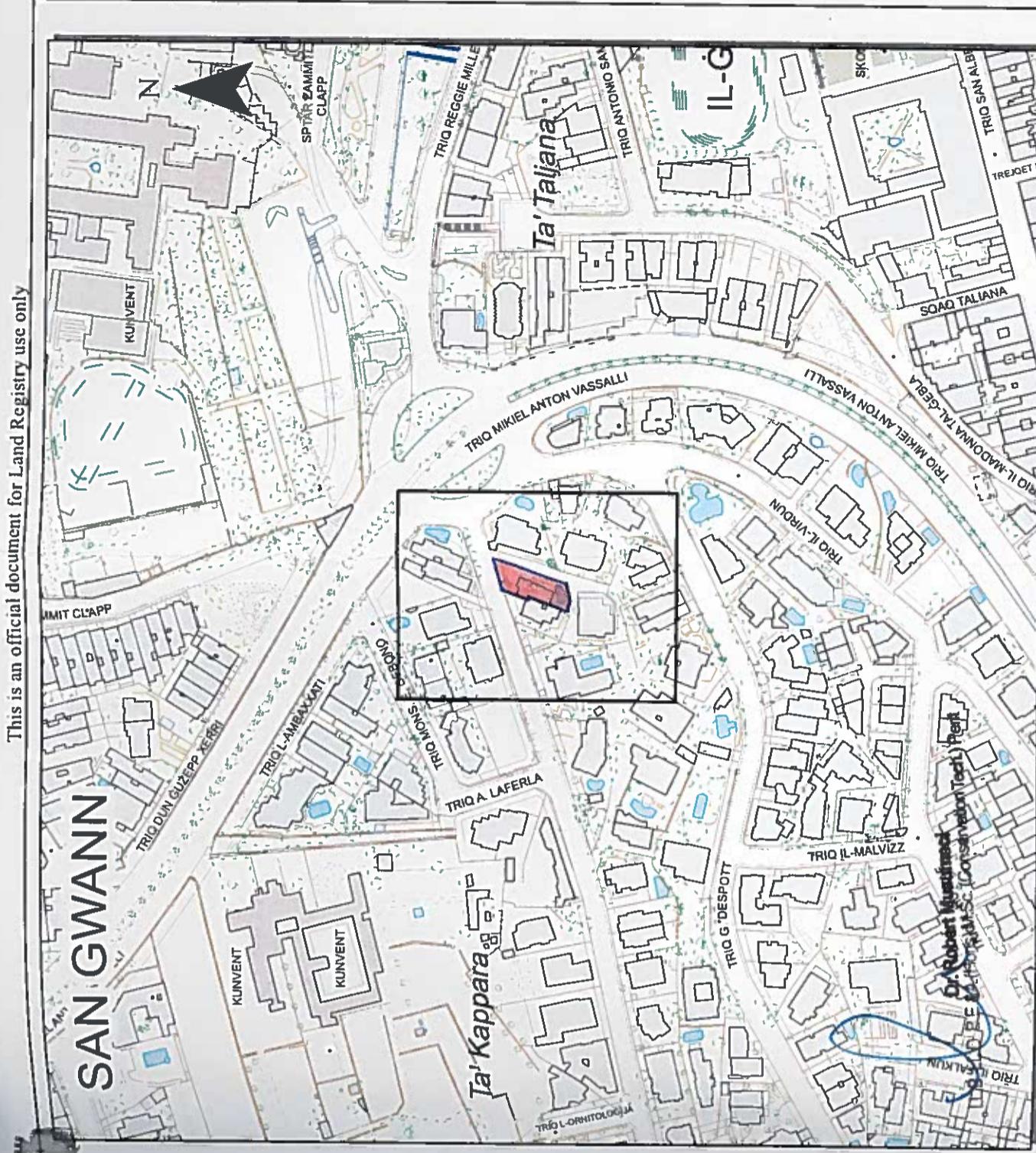
| | | | Bottom Slice | | | | Top Slice | | | | | |
|--------------|-------------------------|----------------------------|--------------|-----|-----------------------|--------------------|-----------------|----------------|-----------------------------|---------------------------------------|-----------------|-------------|
| Passing Rent | Time for Rent to change | Equivalent Rent (ERV) at t | Passing Rent | ARY | YP perp @ ARY = 1/ARY | S/T (BOTTOM SLICE) | Rent in t years | ARY in t years | YP in perp @ ART in t years | PV def'd for t years @ ARY in t years | S/T (TOP SLICE) | TOTAL VALUE |
| € 140.00 | 98 | € 48,000.00 | € 140.00 | 4 | 25 | € 3,500 | € 47,860.00 | 4 | 25 | 0.0214157 | € 25,624 | € 29,123.91 |

Valur *freehold* attwali fis-suq mahdum fuq ARY ta' 4% u *passing rent* ta' Eur 48,000 fis-sena

$$E48,000 \times 100/4 = E1,200,000$$

Valur tal-utile dominum

$$E1,200,000 - E29,123 = E1,170,877$$



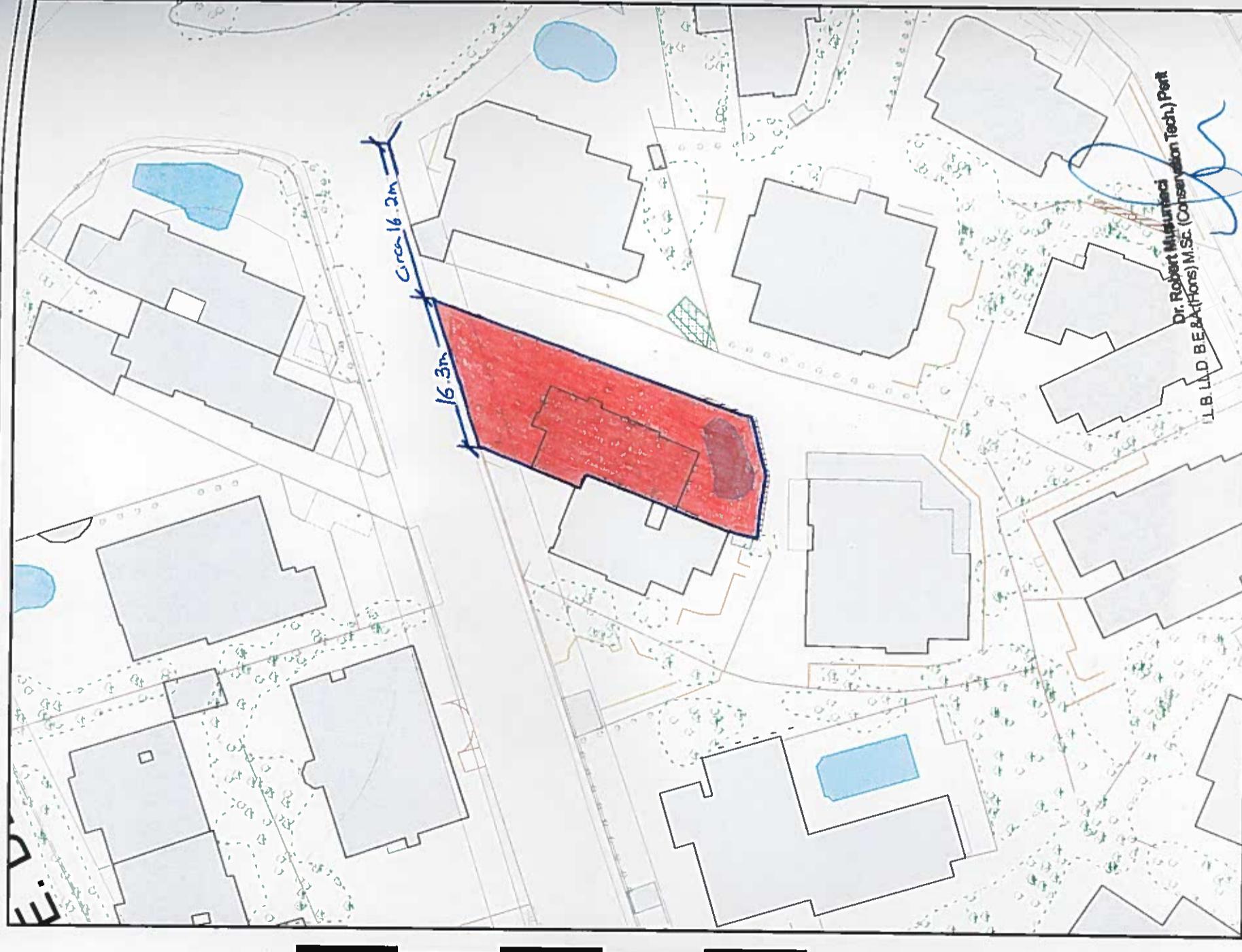
Gvern ta' Malta
Pjanta tas-Sit 1:2500 Site Plan

Registru ta' l-Artijiet
Casa Bolino, 116, Triq il-Punent, Valletta

| | | | |
|----------------|---|----------------------|--|
| Nru tal-Mappa: | 133622 E | Pozizzjoni Centrali: | x = 53968 Centre Coordinates: y = 74113 |
| Map Number: | | Parti min S.S.: | 5274 |
| | | Extracted from S.S.: | Date: 09/08/2019 |
| Perit: | Dr. Robert Musumeci B.E. & Associates M.Sc. (Conservation Tech.) Perit | Qies (metri kwadri): | Circa 401 m ² . |

Architect:
Timbru ta' l-Artijiet
Dr. Robert Musumeci
B.E. & Associates M.Sc. (Conservation Tech.) Perit

Firma ta' l-Applicant:
Applicant's Signature:



Scale 1:500
0 10 20 30 40 50m

LR 121796

Dritt imhallas
Fee Paid

PART III
EIGHTH SCHEDULE

Physical Attributes of Immovable Property

Locality **Kappara**

Address **148, Triq Antonio Schembri,
Kappara**

Total Footprint of
Area Transferred * **circa. 401 sq.mt**

| <i>Tick where applicable</i> <i>(Tick one box in each case except where indicated otherwise)</i> | | | | |
|--|---|---|--|---|
| Type of Property | <input checked="" type="checkbox"/> Villa | <input type="checkbox"/> Semi-Detached | <input type="checkbox"/> Bungalow | <input type="checkbox"/> Flat/Apartment |
| | <input type="checkbox"/> Penthouse | <input type="checkbox"/> Mezzanine | <input type="checkbox"/> Maisonette | <input type="checkbox"/> Farmhouse |
| | <input type="checkbox"/> Terraced House | <input type="checkbox"/> Ground Floor Tenement | | |
| Age of Premises | <input type="checkbox"/> 0-20 years | <input checked="" type="checkbox"/> Over 20 years | <input type="checkbox"/> Pre WW2 | ** |
| Surroundings | <input type="checkbox"/> Sea View | <input type="checkbox"/> Country View | <input checked="" type="checkbox"/> Urban | |
| Environment | <input checked="" type="checkbox"/> Quiet | <input type="checkbox"/> Traffic | <input type="checkbox"/> Entertainment | <input type="checkbox"/> Industrial |
| State of Construction | <input type="checkbox"/> Shell | <input type="checkbox"/> Semi-finished ** | <input checked="" type="checkbox"/> Finished *** | |
| Level of Finishes | <input checked="" type="checkbox"/> Good | <input type="checkbox"/> Adequate | <input type="checkbox"/> Poor | |
| Amenities <i>Tick as many as appropriate</i> | <input checked="" type="checkbox"/> With Garden | <input checked="" type="checkbox"/> With Pool | <input type="checkbox"/> With Lift | <input type="checkbox"/> With Basement |
| | <input type="checkbox"/> No Garage | <input type="checkbox"/> One Car Garage | <input type="checkbox"/> Two Car Garage | <input checked="" type="checkbox"/> Multi Car Garage (can accomodate more than 2 cars) |
| Airspace | <input checked="" type="checkbox"/> Ownership of Roof | <input type="checkbox"/> No Ownership of Roof | <input type="checkbox"/> Shared Ownership | |

* Includes all lands and gardens but excludes additional floors, roofs and washrooms

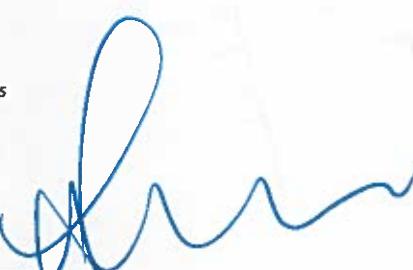
** Includes plastering, electricity, plumbing and floor tiles

*** Includes ** plus bathrooms and apertures

Date:

27/08/19

Perit's Signature:



Warrant Number:

377

Rubber Stamp: **Dr. Robert Musumeci**
L.L.B. I.I.D. B.E.S.A.(Hons) M.Sc. (Conservation Tech.) Perit