

THE REPUBLIC OF TRINIDAD & TOBAGO

IN THE HIGH COURT OF JUSTICE

CLAIM NO. CV 2013 – 02132

BETWEEN

TEDDY SAMMY

Claimant

AND

ELIZABETH RAMLAL
(Legal Personal Representative
of the Estate of Lutchim Sandy, deceased)

Defendant

Before the Honourable Mr. Justice R. Rahim

Appearances:

Mr. S. Saunders and Ms. G. Figaro for the Claimant

Ms. K. Pilgrim-Thornhill for the Defendant

Judgment

1. By claim filed on the 16th May, 2013, the Claimant sought a declaration that he is the sole owner and is consequently entitled to possession of the premises located at No. 29 Southern Main Road, Couva (also known as No. 330 Southern Main Road, Couva) (the said premises) by virtue of adverse possession. At trial it was agreed that the issue to be determined by the court is whether the Claimant has been in possession by or with the consent of the Defendant. If the court finds that he is occupation having been given permission then he did not or could not have had the requisite animus possedendi for adverse possession. If the court finds that he was not given permission to occupy the court then has to determine whether he has been in adverse possession. There is no counterclaim.

2. In relation to the principle of adverse possession, Section 3 of the ***Real Property Limitation Ordinance Chapter 5 No. 7*** provides that;

“No person shall make an entry or distress, or bring an action to recover any land or rent, but within sixteen years next after the time at which the right to make such entry or distress, or to bring such action, shall have first accrued to some person through whom he claims, or if such right shall not have accrued to any person through whom he claims, then within sixteen years next after the time at which the right to make such entry or distress, or to bring such action, shall have first accrued to the person making or bringing the same.”

3. Further, Section 22 of the ***Real Property Limitation Ordinance Chapter 5 No. 7*** which provides that;

“At the determination of the period limited by this Act to any person for making an entry or distress, or bringing any action or suit, the right and title of such person to the land or rent for the recovery whereof such entry, distress, action, or suit respectively might have been made or brought within such period shall be extinguished.”

4. There is no dispute as to the applicable law in this case. The well known authority of **JA Pye (Oxford) Ltd v Graham** (2002) 3 All ER 865 sets out the applicable criteria for adverse possession and this court has had recourse to the principles established and traversed therein.

UNDISPUTED FACTS

5. The Claimant and the Defendant are the children of Lutchmin Sandy (the deceased) who died testate on or around the 26th December 1993. The deceased bore eleven children.
6. The Defendant along with Sylvan Sandy, a son of the deceased, were both named as joint executors of the estate of the deceased but the latter renounced his right to Probate and the Defendant, by application No. L72 of 2010, is presently in the process of obtaining a Grant of Probate. The Claimant has since lodged a caveat which has prevented the determination of the application for the Grant thus far.
7. The deceased became the sole owner of the said premises after her husband died on or around the 18th day of February 1988 without severing the joint tenancy which he held with the deceased. Prior to the death of the deceased, the Claimant lived in the said premises for over twenty-nine years as a licensee of the deceased. Upon the death of the deceased, the Claimant continued to live in the said premises and has since been in occupation of same.
8. Over the past nineteen years, the Claimant did the following work on the house:
 - i) Replaced five flush doors and installed five Panel doors in their place.
 - ii) Changed the entire roof from galvanized sheets to wave sheets.
 - iii) Demolished the chain link wire fence and case the front and part of the back of the said premises.
 - iv) Installed two new gates to the east and west of the said premises.

- v) Demolished a termite eaten and rotten shed to the west of the said premises and reconstructed a wooden shed in its place.
- vi) Constructed another shed measuring 8 feet by 15 feet to the north of the same said wooden shed.
- vii) Rewired the said premises.
- viii) Replaced galvanised water lines with PVC pipes.
- ix) Renovated the front of the dwelling house on the said premises and constructed two shop fronts which are now respectively occupied by a beauty salon and meat shop.

The factual dispute

9. The Defendant alleges that when the deceased died, the Claimant and his family were at the time residing within the ground floor of the two-storey house. It is her case that the deceased lived upstairs immediately prior to her death. This is not in dispute. What is in dispute is the circumstances in which the Claimant came to be in possession of the entire premises. It is the case for the Claimant that after the death of the deceased, the upper floor was locked and the keys to that floor were kept by the Defendant. After the passage of one year it was time to hold the traditional prayer for the deceased and so the siblings of the parties, namely Pearlyn Backhouse, Arjuna Sandy, Cheromanie Sooknanan, Mary Bachan and Bissoondai Ramdath all returned from abroad to attend the prayers. Pearlyn's husband John Blackhouse accompanied her. The Claimant alleges that the Defendant gave the keys to the upper floor to Pearlyn at that time for the purpose of accommodating Pearlyn, her husband and Arjuna Sandy. While the siblings from abroad were staying at the upper floor they were visited ever so often by another sibling who resided in Trinidad, Chandrika Ramsawak. Chandrika gave evidence for the Defendant in this case.
10. The Claimant testified that he took the keys to the upper floor from Pearlyn when she was leaving the premises to return abroad and immediately moved his family to the upper floor where they continue to reside today. It is his testimony that no one gave him permission to take the keys or to enter the upper floor. Evidence on behalf of the

Claimant was given by he and his wife, Angie Sammy. This is the factual issue that lies at the heart of the dispute as the case for the Defendant is that after the funeral, it was her brother Sylvan who kept the keys to the upper floor. She testified that shortly before the date of the one year prayer, in November 1994, she took the keys from Sylvan so that she would open the upper floor to have it aired out in preparation for the return of her siblings from abroad. It is her evidence that Arjuna, Cheromanie and her husband, Mary and her husband all stayed at the upper floor during the time that they were within Trinidad for the prayer. She testified that Arjuna returned a few days earlier than the others and cleaned out the upper floor. It is her evidence that Pearlyn did not stay at the house but stayed with Chandrika who lived close by.

11. It is the Defendant's case that Cheromanie was in fact the last to leave the upper floor after the prayers and that she handed the keys over to Chandrika who visited with her children over the following ten months for the purpose of cleaning. Sometime after, Chandrika returned the keys to the Defendant. During this time the Claimant had no access to the upper floor. In 1996, Pearlyn and her husband visited Trinidad for carnival and she handed the keys to Pearlyn. Pearlyn returned the keys to the Defendant upon leaving. Due to her failing health at the time, according to the Defendant she could not maintain two houses at the same time so that seeing that the Claimant was already living on the premises, she permitted him to move into the upper floor with his family and asked that he maintain the house. The Claimant agreed and also agreed to take over the payments of the land and building taxes and water rates that were being paid by their brother Sylvan up to that time. According to the Defendant, this is how the Claimant came to be in occupation of the upper floor of the premises. He also agreed to allow any of the siblings who would visit from abroad to stay at the home. The Claimant therefore moved into the upper floor in 1996.

The other evidence

Case for the Claimant

12. The Claimant further testified that in or about the year 1999, he built two shop fronts in the downstairs portion of the said premises. He stated that he rented the western shop to Lily Mohammed in 1999 and in 2000 his wife, Angie Sammy started a beauty salon in the eastern part of the ground floor. His evidence is that there was no agreement with any of his family members including the Defendant, for him and his family to occupy the said premises or for his wife to start a business downstairs. His son, Kevin Sammy now operates a Meat Mart on the western part of the ground floor.
13. It was the Claimant's evidence that his brother, Siewnarine Sammy died on or about 4th November, 1999 and his brother Arjuna Sammy asked him to stay at the said premises when he visited from abroad to attend Siewnarine's funeral and he so permitted him. Arjuna stayed in the upper floor of the house. The Claimant testified that for that funeral, his other siblings stayed elsewhere and he made no arrangements with them for their accommodation.
14. It is the evidence of the Claimant that he spent three hundred thousand dollars (\$300,000.00) to repair and restore the said premises. Copies of bills, invoices and receipts were produced by the Claimant and are contained in the Agreed List of Documents.
15. The Claimant also stated that since the death of his mother, he had paid all the telephone and electricity bills along with all the water rates and land and building taxes.
16. The Claimant's only other witness Angie Sammy, his wife, testified that she was married to the Claimant on or about the 3rd February, 1985 and moved into the ground floor of the property. The living space included a bedroom, toilet and bath, kitchen and television room. Angie Sammy testified that the Claimant's mother Lutchmin Sammy lived

upstairs. It was Angie Sammy's evidence that she as well as the Claimant stayed downstairs at the said premises until 1986 when they moved out for a little over a year. During this period, they rented a house at Chase Village. After a conversation with Lutchmin Sammy, and upon her request, both she and the Claimant moved back to the property in 1988.

17. The witness testified that after the deceased died, many family members came from abroad to attend her funeral. When these said family members left, the upstairs portion of the premises was left locked. Neither the Claimant nor Mrs. Sammy had keys for the upstairs portion of the premises and consequently they remained downstairs. It is also Mrs. Sammy's evidence that no one ever asked them to leave.
18. Further, about one year after the death of Lutchmin, family members who usually lived abroad came to Trinidad for Lutchmin's one-year prayer. One of the Claimant's sisters, Pearlyn and her husband along with one of his brothers Arjuna Sammy stayed in the upper floor of the house. The witness further stated that she was not aware of who gave the family members the keys for the upstairs portion of the said house. While they were there though, it is her evidence, that the Claimant's sister Chandricka came to the premises a few times to help Pearlyn clean the upstairs for the prayer. The Claimant also assisted on two occasions.
19. It is her testimony that after the prayers, all of the family members who came from abroad including those staying upstairs left. The Claimant took the keys from Pearlyn and in a matter of days she along with her family had completely moved upstairs. They stored small things downstairs but moved all their furniture, appliances and majority of their personal effects upstairs. They have therefore occupied the entire premises since or about December, 1994. No family member or otherwise has ever asked her about the house nor did anyone suggest that she should not live there. It is also her evidence that no one ever came to clean or paid the bills for the property.
20. Her evidence is also that in or about 1995, her sisters Lily Mohammed and Jenny Bowlah opened a food shop named "Janelle's", downstairs the said premises which they operated

for about a year. The Claimant's brother, Siewnarine Sammy died in 1999. Arjuna Sammy came for the funeral and Mrs. Sammy allowed him to stay in one of the children's bedrooms for about two weeks. In or about 2000 she opened a beauty shop downstairs the said premises. She maintained the house upstairs and worked downstairs. She further stated that she was on the property for most of the day, every day. It was her evidence that having lived on the property since 1985, she and the Claimant have improved the property. Her son has since opened and continues to operate a meat shop downstairs. The witness also testified that the Claimant has done a lot of extensive improvements to the property including putting up new gates, changing the water lines, changing the roof and casting the yard.

Case for the Defendant

21. In addition to her own testimony the Defendant also called one witness only. It is the Defendant's evidence that the premises located at 330, Southern Main Road, Couva, was the house in which she and her ten siblings, including the Claimant grew up. At the time of her death, Mama (as she called Lutchmin her mother), was living alone upstairs while the Claimant and his wife were living downstairs. Mama was cremated on or about the 29th December, 1993. On the night of her cremation, most of her children went back to her house. Her brothers and sisters who were living abroad had returned for the funeral. Arjuna, Cheromanie, Mary and Pearlyn stayed at the said premises whilst Bissoondai stayed with her in-laws.

22. In her will, which was handed to the Defendant shortly after the funeral, the deceased left the property situate at 330, Southern Main Road, Couva to nine of her children, namely; Sylvan, Arjuna, Mary, Pearlyn, Chandricka, Rajama, Bissoondai, Cheromanine (referred to in the Will as Ceromanie) and to herself and grandson Sheldon Singh as joint tenants. Teddy and Siewnarine were not included in the gift of that property. The deceased left another property situate at St. Andrews Street, Couva to Arjuna and Siewnarine and directed that the Claimant (also called Prakash) be given the sum of ten thousand dollars (\$10,000.00) from money in her bank account at Royal Bank, Couva.

23. It is the evidence of the Defendant that subsequent to the matters surrounding the issue of the handing over of the keys set out above, Teddy always enquired of her as to when she would Probate the Will. Because she was sick and had been suffering with her spine for the about six to seven years, the Defendant told Sylvan, the other executor of her condition and informed him that he could obtain a lawyers and start the probate but he did nothing.
24. It was the Defendant's evidence that in the year 1998, she sent a letter to all of her brothers and sisters to whom Mama left the house. She also sent a letter to Sheldon through his mother. In the said letters, the Defendant suggested that they all contribute the sum of eight hundred dollars (\$800.00) per year for the upkeep and maintenance of the house, the payment of the utility bills and the Probate. A copy of this letter was not produced in the Defendant's list of documents.
25. The Defendant further testified that her siblings were unhappy that she gave Teddy permission to occupy upstairs. The Defendant held the view that if all her siblings contributed, she would not have had to ask Teddy to pay the bills. She would have therefore be able to pay such bills with the money that was sent.
26. The Defendant also testified that she suggested options to deal with the property. These options included selling the property to Teddy, renting the property or selling the property to the immediate market. She received no immediate response.
27. It was the Defendant's evidence that in or about June or early July, 1999 she received two letters that were posted together. One letter was a copy of a typewritten one and the other was a copy of a handwritten letter. The type written letter is dated June 25, 1999 and is signed by Cheromanie who complains of the fact that the Claimant had been occupying the house rent free for years and opining that it was unfair for him to own everything. The hand written letter appears also to have been so signed and inter alia proposes disposal of the property by way of sale. There is no evidence that these letters were sent to the Claimant. Cheromanie died in 2011.

28. The Defendant testified that after Teddy moved upstairs he had started to carry out works downstairs and converted his former living area into a beauty salon which his wife operates. The Defendant further stated that she would patronize the salon. That whenever she went to the salon, she would go upstairs and chat with the Claimant with whom he had a good relationship. Consequently she was able to see that Teddy changed the ceiling upstairs and repaired the cupboards.
29. The Defendant testified that when Teddy was in the process of changing the roof, he enquired whether she had a plan for the house but the Defendant indicated that she did not. The Defendant further stated that Teddy did not ask her permission to repair the roof but he informed her that he spoke to Sylvan and he told him to go ahead.
30. The Defendant testified that it was never her intention that Teddy should own the house and he had entered into occupation of the whole with her permission.
31. Chandricka Ramsawak testified on behalf of the Defendant. Her evidence was in large measure the same as that of the Defendant. She testified that after her mother's death, her brother Sylvan, held the keys. That in November, 1994, after her siblings left, her sister Cheromanie came to her home and gave her the keys to the upstairs.
32. It is her testimony that she held on to the keys from that time until September or October, 1995. Whilst the keys were in her possession, the Claimant had no access or control over the upstairs portion of the house.
33. The witness testified that she went to the house at least once per month along with her children to air out and clean the upstairs of the house. In October, 1995, she handed over the keys to the Defendant's husband and her daughter Chandra. The keys were not returned to her but kept in Elizabeth's possession. The Defendant explained in cross-examination that her husband and daughter collected the keys on her behalf and handed them over to her.

34. It was the evidence of Chandrika that in 1996 while passing on the Main Road in front of the said premises, she began to notice that the windows and front door would be open regularly. On some occasions she saw Teddy and the children in the gallery. She told Elizabeth what she had observed.
35. She recalled receiving a letter from Elizabeth asking that she contribute the sum of eight hundred dollars (\$800.00) per year as a contribution to the maintenance of the house and the paying of the utility bills. It was her evidence that she did not respond to the letter as she was not in agreement with Elizabeth's request because the Claimant lived in the house and consequently she held the view that the Claimant should pay the bills. In 1999, she received copies of the two letters referred to above (one typewritten and one in manuscript) in the mail.
36. She testified that having read both letters, she formed the opinion that Cheromanie had a conversation with Teddy in which Teddy told Elizabeth that Sylvan had given him permission to fix the downstairs of the property and open a business. This in the court's view is mere speculation. As a consequence the court gives no weight whatsoever to this evidence.

Is the Claimant a licensee

37. The resolution of this issue is dependant on findings of fact. During cross-examination, the Claimant testified that at the time of his mother's death, he had a good relationship with his brothers and sisters, inclusive of the Defendant, his sister. He accepted, during cross-examination, that his mother did not leave the property for him in her Will, although he was living at the said premises at the time of his death. He agreed that the deceased (his mother) did not intend for him to benefit from the property. He further admitted that if he was asked to leave the property, he would have had to find somewhere else to go. This admission is, in the court's view, an adverse one against the case of the Claimant. The inference to be drawn is that if he had been asked to leave, he would have left having found somewhere to go. This evidence shows quite clearly in the court's view,

that the Claimant appreciated that he was in occupation of the premises downstairs at the behest of his mother and after her death at the behest of the beneficiaries to the will. Further, it is his testimony that his siblings kept the upstairs locked for one year after the death and they instructed him that the upstairs was to so remain vacant for one year. This evidence demonstrates equally that the siblings were in control of the upstairs and that this was accepted by the Claimant.

38. That being the case, the court ought to enquire as a matter of common sense, into what if anything would have caused the Claimant, after the end of the one-year prayer to immediately disregard the rights of the beneficiaries and enter into the upstairs without permission. He obviously had no difficulty following their instructions in relation to the upstairs prior to that time. The evidence of the Claimant appears to be silent on this issue. It is passing strange and simply does not accord with common sense that the Claimant would be obeying his siblings' wishes for one year but would immediately disregard their entitlement thereafter for no discernable reason. He had not been asked to move. He was aware that his mother had not left a share in the property to him. It simply is not plausible that he would make such an about turn.
39. It equally does not accord with common sense that the Defendant would have realised that the Claimant had occupied the upstairs without her consent and would have tolerated such occupation having had such strict control on the upstairs of the premises since the death of the deceased. It is not plausible in the court's view that the Defendant having had possession of the keys would have permitted the Claimant who has no testamentary interest in the house to retain the keys having collected same from another sibling who was not the executor and who was merely visiting. In that regard the court accepts the evidence of the Defendant that she and her daughter would clean the upstairs from time to time. It means that the Defendant would have had possession of the keys in order to so do. It logically follows that the Claimant was put into occupation by the Defendant or one or all of the beneficiaries and was permitted to stay there with their consent. This the court finds to be more plausible than what appears to be the fictitious story of the Claimant that the visiting sister handed him the keys when she was leaving to return

abroad and he immediately moved into the upstairs. The court therefore finds that the evidence of the Defendant is believable and that she is the one who gave the keys to the upstairs of the premises to the Claimant for the reason she has given.

40. This finding is supported by the subsequent actions of the Defendant on the evidence. The evidence is that the Defendant would visit the beauty salon of the Claimant's wife and would see work in progress and would not complain or attempt to stop the work. It appears to the court that this was in keeping with the arrangement which the Claimant had with the Defendant. Otherwise it would be more than passing strange that the Defendant would observe the works and say absolutely nothing to the Claimant about it. There must have been a logical reason for such behaviour.
41. This evidence is also supported as a matter of common sense by the evidence of the Claimant in cross-examination that he was never fearful that the Defendant would ask him to leave while he was doing work. The reasonable inference to be drawn is that he was not fearful as he knew that he had been given permission to occupy the entire house on the understanding that he would maintain the house. It is not plausible in the court's view that his lack of fear was due to some newfound bravado that he had acquired. The court reminds itself that this evidence was coming from the same man who acknowledged the rights and entitlement to the property of his siblings and had been dutifully carrying out their instructions in relation to the property.
42. Additionally, the evidence is that when siblings visited from abroad they would stay at the house. The Claimant has however denied the suggestion by attorney for the Defendant that the only reason he allowed his brother, Arjuna to occupy the said premises in 1999 was as a result of the arrangement that he made with Elizabeth that should any of the beneficiaries needed to stay in the said premises, the Claimant would allow them. But it makes good sense that such an arrangement would be made in the circumstances where the Claimant who was not entitled to a share in the house by testamentary disposition was being allowed to occupy the entire premises. So that the court does not accept the evidence of the Claimant on this issue.

43. The Claimant further admitted in cross-examination that upon the creation of the two shop fronts located downstairs the said premises, he was able to earn money from the house and that neither of the ten beneficiaries entitled to the house benefited from these earnings. He also agreed that since he was earning money from the house, he should be the one to do the repairs and that it was only fair that he paid all the bills for the premises, inclusive of the electricity, water rates and the land and building tax rates, since he was earning money from the premises.

44. The evidence of the Claimant's witness Angie Sammy in cross-examination did not materially assist his case in so far as the finding of the court on this issue is concerned. This witness testified that she was aware that her mother-in-law did not leave property for Teddy but that when the deceased requested that they return to the premises having left for some years, she was told by her said mother-in-law that the property was theirs (hers and Teddy's) as everybody already had their own. This bit of evidence is in the court's view simply not credible. This assertion is made for the first time in cross-examination and has formed no part of the Claimant's case in any form thus far. The court formed the view that the witness had manufactured this evidence in a bold and misguided attempt to bolster the case for her husband, the Claimant. The effect of the evidence was to make all of her evidence suspect in the court's view. Having witnessed such a bold attempt to deceive the court, the court could give very little credibility to her other evidence.

45. It appeared to the court that this witness had backed herself into a corner as it were during cross-examination when she earlier testified that they had no fear that they would be stopped from doing work on the premises as "we knew it was ours". When pressed as to what she meant, she gave the explanation set out in the preceding paragraph. It became abundantly clear to the court at that stage that the witness had made up the answer to accord with her earlier assertion which itself did not accord with common sense as she would have known that the property had belonged to the siblings. But her evidence in cross-examination went even further. It is her testimony that the work which they did on the house was done based on the promise made by the deceased that the property was

theirs. This formed no part of the case for the Claimant and has added to the taint of unreliability of the evidence of this witness and of the Claimant's case as a whole.

46. The Defendant admitted during cross-examination that Sylvan was actually the one in possession of the keys for the upstairs until the one-year prayer. To that extent, what she had stated at paragraph 5 of her Defence was incorrect. The Defendant explained that she and Chandrika and Sylvan were in control of the upstairs during the first year although he kept the keys. When the siblings were about to return to Trinidad for the prayer she went to Sylvan and retrieved the keys to clean the premises and he collected them from her on his way to collect Arjun at the airport. It goes without saying that Arjun would have needed the keys to enter the premises. After the prayer, the Defendant retained possession of the keys same having been left for her by the last sibling Cheromanie to leave the house. It is the evidence of the Defendant that Pearlyn did not stay at the house during the one year prayer but in fact stayed with Chandrika. So that the Claimant could not have been given any keys by Pearlyn. Heavy reliance has been placed on this inconsistency by attorneys for the Claimant but the court does not agree that the inconsistency (which has been established) is material to the issue. The court does not consider that this admission impacted in any way on the credibility of the Defendant or on the issue to be decided. The fact remained that whether it was the Defendant or Sylvan who retained the keys for that one year, the Claimant had no access to the upstairs by virtue of instructions of his siblings and he abided by those instructions. That fact remains a material fact in the court's assessment of the evidence and is untouched by the inconsistency.
47. In relation to the defence witness Chandrika, the court finds that her evidence withstood cross-examination and was not materially affected having regard to the issues in the case. There is no need in the court's view to traverse her evidence in cross-examination in this judgment.
48. The court therefore finds that the Claimant was given permission to occupy by the Executor of the Estate of the deceased, the Defendant in 1996 when she handed to him

the keys to the upstairs portion of the house and he has been there with the consent of the executor of the estate. He has therefore been a licensee. That being the case, he could not as a matter of law have been in adverse possession.

49. In relation to the issue of the licence, Counsel for the Claimant submitted that the Claimant held a bare licence from the deceased. At the time of her death, the licence was terminated by operation of law and therefore the Claimant was in possession without a licence from that day. The Claimant relied on the case of *Meeruppe Sumanatissa Terunnanse v Warakapitiye Pangnananda Terunnanse* (1968) A.C. 1086. In that case, Their Lordships of the Privy Council, stated at page 1095 that ‘a revocable license is automatically determined by the death of the licensor or by the assignment of the land over which the license is exercised.’ This is not a principle with which the court does not agree. However, the finding of the court is that a licence to occupy was granted by the Defendant to the Claimant from 1996. It makes no difference to this case that the licence granted by the deceased (if in fact there was one) was terminated upon her death so that the submission is of no merit. Further, the finding of the court has been that the Defendant expressly gave permission to the Claimant to occupy the upstairs at a meeting as testified to by the Defendant so that it is unnecessary to treat with the authority of *J Alston & Sons Ltd. V BOCM Pauls Limited* (2008) EWHC 3310 relied on by the Claimant in relation to implied permission.

DISPOSITION

50. The answer to the issue being determined in favour of the Defendant, it means that the court must dismiss the claim. There is no counterclaim on the part of the Defendant for possession of any part of the premises and indeed no such relief has been sought in the submissions of the Defendant. No such order shall therefore be made. In keeping with the usual order for costs in matters of this nature, unless persuaded otherwise the court shall

order that the Claimant pay to the Defendant the prescribed costs of the claim in the sum of \$14,000.00 on the basis of the value of the claim being treated as one for \$50,000.00.

Dated the 14th July 2015

Ricky Rahim

Judge