In ***Bracken Hill Court at Ackworth Management Company Ltd v Andrew Dobson & ors*** [2018] UKUT 0333 (LC), the Upper Tribunal cantered through three authorities in deciding whether a managing agent's agreement was a Qualifying Long Term Agreement ("QLTA"):

1) *Paddington Walk Management Limited v Governors of the Peabody Trust* [2010] L&TR 6;
2) *Corvan (Properties) Ltd v Abdel-Mahmoud* [2018] EWCA Civ 1102;
3) *Poynders Court Ltd v GLS Property Management Ltd* [2012] UKUT 339 (LC).

In *Bracken Hill*, the agreement was renewed annually over the telephone for a term of "no longer than 364 days". The Upper Tribunal held that the contract was only for 364 days (or for one year), ie not more than 12 months, and would not last longer unless it was renewed.

Further, the deciding factor is the minimum length of the commitment (*Paddington*). *Poynders Court* was wrongly decided (*Corvan*). Whether an agreement is for a term exceeding 12 months is not about its substance and the obligations it contains. It is about whether it is an agreement for a term which must exceed 12 months.