

**SOUTHERN RENT ASSESSMENT PANEL AND TRIBUNAL  
LEASEHOLD VALUATION TRIBUNAL**

**Case No: CHI/00MR/LDC/2007/0034**

**BETWEEN:**

**RESMAN NOMINEES**

**Applicant**

**- and -**

**11 LEASEHOLDERS**

**Respondents**

**PREMISES:** Romsey House  
Ashling Lane  
North End  
Portsmouth  
PO2 OAR ("the Premises")

**TRIBUNAL:** MR D AGNEW LLB, LLM (Chairman)  
MR P D TURNER-POWELL FRICS

**DATE OF  
DETERMINATION:** 21<sup>st</sup> January 2008

**DETERMINATION AND REASONS**

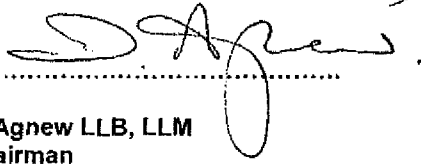
**DETERMINATION**

The Tribunal determines that the consultation requirements under Section 20 of the Landlord & Tenant Act 1985 as amended may be dispensed with under Section 20ZA of the said Act in respect of the work required to the central roof gutter for the renewal of the felt covering and associated work as set out in the "Schedule of Work – roof repairs" prepared by Mr Paul Dixon M.R.I.C.S. F.C.I.O.B. M.a.P.S. of the 30<sup>th</sup> October 2007.

### REASONS

1. The evidence supplied by the Managing Agents, DMA Chartered Surveyors, was that a leak has developed in the roof of the premises. Although it is not possible to see the area of roof concerned without the erection of scaffolding or the use of a "cherry picker" the Tribunal was supplied with photographs of the roof area in question and the Tribunal saw evidence of water penetration through the ceiling of the hallway in Flat 8 at the premises.
2. The Tribunal was satisfied that the works set out in the Schedule of Work – roof repairs compiled by Mr Paul Dixon for the Managing Agents was necessary work to be undertaken and that in view of the water penetration the works required were urgent.
3. In all the circumstances, therefore, the Tribunal was prepared to find that this was an appropriate case for the consultation procedure set out in Section 20 of the Landlord & Tenant Act 1985 as amended should be dispensed with. The Tribunal was satisfied that the lessees had been kept properly informed of the need for the works to be carried out and the likely costs. No lessee had written to the Tribunal objecting to an order being made under Section 20ZA of the Act and no lessee had requested that there be a hearing.
4. The Tribunal was therefore satisfied that an order under Section 20ZA of the Act dispensing with the consultation requirements of Section 20 of the Act should be made.

Dated this 29<sup>th</sup> day of January 2008

  
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D. Agnew LLB, LLM  
Chairman