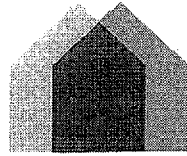


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**Residential
Property**
TRIBUNAL SERVICE

DECISION OF THE LEASEHOLD VALUATION TRIBUNAL

REF: LON/00BD/LDC/2007/0078

GLENMORE HOUSE, 64 RICHMOND HILL, SURREY, TW10

GLENMORE HOUSE LIMITED

Applicant

VARIOUS LESSEES OF GLENMORE HOUSE

Respondents

Date of decision: 29 January 2008

Tribunal: Mr M.A. Martynski - Solicitor
Mr J.R. Humphrys FRICS

Summary of decision

1. In respect of the works of replacement of the hot water tank carried out in November 2007, the Tribunal grants to the Applicant dispensation from all the consultation requirements of Section 20 Landlord and Tenant Act 1985 and the regulations made thereunder.

Background

2. This application was made following a severe failure of the hot water tank to all 24 flats which took place in November 2007. There was some consultation with lessees via an emergency general meeting of the Respondent company and via newsletters to the Respondents. However, the Respondent company felt that it was necessary to take action quickly and replace the tank together with associated works.

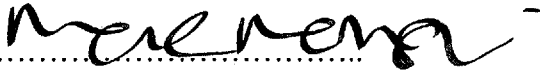
3. Directions were issued by this Tribunal on 14 December 2007 and in particular the Respondents were asked to reply by 14 January 2008. Objections were made to the Applicant's application by Ms A Olney and Mr R Cox.

4. After considering the application and objections the Tribunal decided to grant dispensation sought for the following reasons;

(a) It is common sense and good management practice to deal with emergencies such as this quickly and this is one of the reasons that the legislation allows landlords

to apply for dispensation. In the case of a hot water system to an entire block of flats failing this must be the case.

(b) Ms Olney in particular raised a number of issues regarding the reasonableness of the work and the history of the hot water system which may relate to reasonableness with regard to the cost of the actual works and/or the necessity for them but these do not relate to the dispensation of the consultation requirements. The fact that the Tribunal has given dispensation in respect of these works does not preclude any lessee from making an application in the future relating to the reasonableness of the work or the payability of service charges in respect of them.



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Mark Martynski
Chairman
29 January 2008