

12681



**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case reference : **LON/00AU/LDC/2018/0049**

Property : **Flats A and B, 67 Mildmay Grove
North, London N1 4PL**

Applicant : **Southern Land Securities**

Representative : **Together Property Management**

Respondent : **The Leaseholders
(Fraiman/Kendal/Muers and
Hemming)**

Representative : **N/A**

Type of application : **To dispense with the requirement
to consult lessees about major
works: S20ZA LTA 1985**

Tribunal members : **Judge Hargreaves
Alison Flynn MA MRICS**

**Date and venue of
hearing** : **27th March 2018 at 10 Alfred Place,
London WC1E 7LR**

Date of decision : **27th March 2018**

ORDER

The Tribunal directs as follows:-

The Applicant has dispensation pursuant to s20ZA LTA 1985 from carrying out the full statutory consultation requirements in relation to roof works required to the above property to repair the roof and to prevent further water ingress.

REASONS

1. The Applicant seeks dispensation under section 20ZA of the Landlord and Tenant Act 1985 from all/some of the consultation requirements imposed on the landlord by section 20 of the 1985 Act¹.
2. The grounds for the application together with a copy of a supporting quote for the works (South West Surrey Roofing and Guttering Service quote dated 26th February 2018 in the sum of £1450 “only no VAT”) are set out in the application dated 5th March received on 7th March 2018.
3. The only issue for the Tribunal is whether or not it is reasonable to dispense with the statutory consultation requirements. This application does not concern the issue of whether any service charge costs will be reasonable or payable.
4. Directions for service on the leaseholders were given on 9th March. The Applicant has complied with the Tribunal directions. None of the Respondents object to the application.
5. In the circumstances, where works are required to repair a leaking roof and carry out associated repairs to the external structure of the roof including the chimney stack and party wall, and there are no objections, and there is no apparent prejudice to the Respondents, it is appropriate to grant the Applicant dispensation from the consultation requirements, though in this case the Tribunal notes that a s20 letter was sent to the Respondents dated 1st March 2018.

Judge Hargreaves

Alison Flynn MA MRICS

27th March 2018

¹ See Service Charges (Consultation Requirements) (England) Regulations 2003 (SI2003/1987)