



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

**Case reference** : **LON/00AY/LDC/2022/0060**

**HMCTS code  
(paper, video,  
audio)** : **P: PAPERREMOTE**

**Property** : **97-102 Elmhurst Mansions, Edgeley  
Road, Clapham, London SW4 6ET**

**Applicant** : **Southern Land Securities Limited**

**Representative** : **Nick Hristov – Together Property  
Management**

**Respondent** : **Various Leaseholders of Elmhurst  
Mansions**

**Representative** : **N/A**

**Type of application** : **S.20ZA – dispensation from  
consultation**

**Tribunal  
member(s)** : **Judge Tagliavini**

**Venue** : **10 Alfred Place, London WC1E 7LR**

**Date of decision** : **15 August 2022**

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**DECISION**

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## **The tribunal's summary decision**

1. The tribunal grants the applicant dispensation from the consultation requirements of section 20 of the Landlord and Tenant Act 1985 in respect of the electrical works carried out to the subject premises as per the invoice of HKG Electrical dated 3 September 2021 in the sum of £2,350.00.

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## **The application**

1. The applicant landlord makes this application pursuant to section 20ZA of the Landlord and Tenant Act 1985 ('the Act') and seeks dispensation from the consultation requirements of section 20 of the Act.

## **Background**

2. The subject premises comprise a terraced Victorian building converted into six flats. The applicant is the landlord of the subject premises and the respondents are the long lessees. In a sample lease dated 17<sup>th</sup> August 2005 made between Area Estates Limited and Michael John Wheatley granting a term of 99 years with effect from 25 December 2000 in respect of 102 Elmhurst Mansion, the landlord is required to keep in repair the installations for the supply of electricity (*Schedules 5 and 6*).
3. A defect in the installations for the supply of electricity was identified by a leaseholder and an estimate for the identified required works was provided to the landlord's managing agent Together Property Management (TPM). The works were subsequently authorised by TPM and carried out by HKG Electrical in the sum of £2,350.00.

## **The applicant's case**

4. The applicant relied upon its application and Statement of Case in which it was stated the lessees had made TPM aware of the dangerous nature of the electrical installation. The lessees were made aware of the decision to proceed with the identified works which were subsequently carried out and completed in December 2021.
5. Various email correspondence was provided by the applicant in which reference were made to Phase 1 and Phase 2 works, although the works

in each Phase was not clearly identified and only one invoice for works was provided.

### **The respondents case**

6. No objections to the application were received by the tribunal from any of the lessees at the subject property.

### **The tribunal's decision and reasons**

7. In the absence of any objections to the works being carried out without compliance with section 20 of the Act, the tribunal is satisfied that the works as specified in the invoice dated 3 September 2021 from HKG Electrical were reasonably required and sufficiently urgent to require their completion at the earliest date.
8. The tribunal notes that HKG Electrical appears to be neither VAT nor NICE\* registered although the tribunal is not required in this application to consider the standard of the works or the reasonableness of their cost.

*\*Registered with Napit #52283*

9. In conclusion, the tribunal grants the dispensation sought by the applicant limited to the works carried out as per the invoice dated 3 September 2021.

Name: Judge Tagliavini

Date: 15 August 2022