



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

Case reference : **LON/00BG/LDC/2022/0199**

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

Property : **40 East India Dock Road, London E14 6JJ**

Applicant : **Adriatic Land Limited**

Representative : **D&GBM – Cherel Cato (Property Manager)**

Respondents : **The leaseholders of the four flats**

Representative : **N/A**

Type of application : **For the dispensation of consultation pursuant to section 20ZA of the Landlord and Tenant Act 1985**

Tribunal members : **Judge Tagliavini**

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

Date of decision : **13 February 2023**

DECISION

Summary decision of the tribunal

- (1) The tribunal grants the applicant dispensation from the consultation requirements of section 20 of the 1985 Act for the carrying out of the works as set out in the quote of; (i) BLUECUBE Contracting Ltd. date 17 October 2022 in the sum of £9,732.66 (plus VAT) and the invoice of (ii) BML Building Services Limited dated 22 October 2022 in the sum of £2,220.00 (including VAT).**
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The application

1. The Applicant seeks a determination pursuant to s.20ZA of the Landlord and Tenant Act 1985 ('the 1985 Act' due to urgent works being required to remedy water ingress into the building situate at 40 East India Dock Road, London E14 6JJ ('the Property') and include works to the scupper chute/gulley and downpipe.
2. The Property comprises four flats in a mid-terrace conversion on the basement, ground, first and second floors.

The hearing

3. The applicants provided two bundles of 26 and 32 pages respectively which included a copy of the relevant lease together with the application and details of the works required to the Property. None of the respondents provided any objection or response to the application although the tribunal was satisfied they had been notified of the applicant's request for dispensation as set out in the applicant's email of confirmation dated 14 December 2022.
4. Consequently, the tribunal reached its determination by solely relying on the documents provided by the applicant.

The tribunal's decision and reasons

5. The tribunal grants the applicant dispensation from the consultation requirements of section 20 of the 1985 Act for the carrying out of the works as set out in the quote of; (i) BLUECUBE Contracting Ltd. date 17 October 2022 in the sum of £9,732.66 (plus VAT) and the invoice of (ii) BML Building Services Limited dated 22 October 2022 in the sum of £2,220.00 (including VAT).

6. The tribunal finds that the applicant's intention to carry out these works was notified to the lessees in writing or around 4 November 2022 as well having this application dated 14 October 2022 being brought to their attention. In the absence of any objections to this application from any of the lessees, the urgent nature of the works and the absence of any prejudice likely to be caused to the lessees by the application, the tribunal considers it reasonable to grant the dispensation sought; *Daejan Investments Ltd v Benson & Others* [2013] UKSC 14.
7. In conclusion, the tribunal grants the dispensation sought.

Name: Judge Tagliavini

Date: 13 February 2023

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).