



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

**Case Reference** : LON/00AE/LDC/2015/0147

**Property** : 3 Ashburnham Road, London  
NW10 5SB

**Applicant** : Genesis Housing Association  
Limited

**Representative** : Winckworth Sherwoods LLP

**Respondent** : Mr. R. Taylor and Ms. A. Gramlick

**Representative** : In person

**Type of Application** : For dispensation from the  
consultation requirements under  
S.20 Landlord & Tenant Act 1985.

**Tribunal Members** : Ms. A. Hamilton-Farey

**Date of Decision** : 21 January 2016.

---

**DECISION**

---

**Decisions of the Tribunal**

1. The tribunal exercises its discretion, and grants dispensation from the requirements to consult under S.20 of the Landlord & Tenant Act 1985.

**Background**

1. This is an application under section 20ZA of the Landlord & Tenant Act 1985 (the Act) on behalf of the Landlord for dispensation from the requirements to consult under S.20 of the Act and in relation to the emergency remedial works to the roof of the property to prevent water penetration. The works involved are contained on the application. The leaseholder has been informed of the application, the quotations and appears, from the correspondence, to have been involved with the applicants in the choice of contractor for the works.
2. Directions were issued on 21 December to bring this matter to a determination. The respondents were notified in those directions that they could request an oral hearing, and make any response to the landlord if they had any views regarding the application. They were also asked to copy any response to the tribunal.
3. The tribunal has not received any responses from the residents, and is therefore entitled to deduce from that, that the respondents support the application.
4. In the circumstances the tribunal considers that this matter was urgent and required remedial works to be undertaken as soon as practically possible, and that in order to do so, it would not be feasible for the applicants to comply with the remaining requirements to consult under S.20 of the Act.
5. The tribunal therefore considers that it is reasonable for dispensation from those remaining requirements to be granted to the applicants in relation to this qualifying work contract.

Tribunal: Aileen Hamilton-Farey

Date: 21 January 2016.

### **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.