



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

Case Reference : LON/00AE/LDC/2015/0140

Property : 10 Charteris Road, London NW6
7ET.

Applicant : Southern Land Securities

Representative : Hamilton King Management

Respondent : Various leaseholders as per the
application.

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 : 20 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 replacement of emergency lighting at the property that was discovered during a routine service inspection. The landlords say that the invoice for the works was received on 21 April 2015 and was for more than anticipated and exceeded the statutory threshold for consultation purposes. The landlord also says that the works were urgently required because the compromised the health and safety of residents.
2. Directions were issued on 3 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.

Tribunal: Aileen Hamilton-Farey

Date: 20 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.