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| Crest |  | FIRST-TIER TRIBUNAL  **PROPERTY CHAMBER (RESIDENTIAL PROPERTY)** |
| **Case reference** | **:** | **LON/00AZ/LDC/2019/0045** |
| **Property** | **:** | **108 Burnt Ash Road, London SDE12 8PU** |
| **Applicant** | **:** | **AM Investments Ltd** |
| **Representative** | **:** | **Hindwoods Ltd chartered surveyors** |
| **Respondents** | **:** | **The lessees** |
| **Type of application** | **:** | **To dispense with the consultation requirements under s.20(ZA) of the Landlord and Tenant Act 1985** |
| **Tribunal member(s)** | **:** | **Simon Brilliant**  **Hugh Geddes** |
| **Venue** | **:** | **10 Alfred Place, London WC1E 7LR** |
| **Date of decision** | **:** | **7 May 2019** |

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| **DECISION** |

**Order**

1. We make an order dispensing with the consultation requirements in respect of (“the works”).

**Reasons**

2. On 18 March 2019, the applicant applied for dispensation from the consultation requirements in respect of urgent drainage works carried out at the premises in the week commencing 4 March 2019.

3. Raw sewage was backing up into the basement flat.

4. The works required included creating a new chamber and drainage run. There was no suitable rodding access.

5. Notice of the application was served on the lessees. On 26 April 2019 the applicant’s surveyors wrote to the tribunal confirming that no objections had been made by the lessees.

6. In the circumstances it is appropriate to give the dispensation asked for.

7. This decision does not concern the issue of whether any of the costs are reasonable or payable.

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| **Name:** | **Simon Brilliant** | **Date:** | **7 May 2019** |

**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).