



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

Case reference : **LON/00AY/LDC/2021/0309**

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

Property : **212 Stockwell Road, London SW9 9TB**

Applicant : **RA Management Ltd**

Representative : **Alan Mendelsohn**

Respondents : **Mr Ian J Clasper (Basement flat) & 3 other lessees as per the application**

Representative : **N/A**

Type of application : **For the determination of dispensation – section 20ZA Landlord and Tenant Act 1985**

Tribunal member : **Judge Tagliavini**

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

Date of decision : **2 February 2022**

DECISION

Covid-19 pandemic: description of hearing

This has been a remote hearing on the papers which has not been objected to by the parties. The form remote hearing was P:PAPERREMOTE. A face-to-face hearing was not held because it was not practicable, and all issues could be determined on paper. The documents that the tribunal was referred to are in a bundle of 85 pages, the contents of which are noted. The order made is described at the end of these reasons.

Decisions of the tribunal

- (1) The tribunal grants dispensation from the section 20 consultation requirements under section 20 of the Landlord and Tenant Act 1985 to the applicant, for the carrying out of urgent roof works at the subject premises,

The application

1. The Applicant seeks dispensation pursuant to section 20ZA of the Landlord and Tenant Act 1985 (“the 1985 Act”) in respect of urgent roof works required at the subject premises.

The hearing

2. The tribunal determined the application on the bundle of documents provided by the applicant.

The background

3. The property which is a building containing four flats over the basement, ground, first and second floor,
4. The applicant is the managing agent of the subject property and urgent works to remedy the ingress of water through the roof have been identified by V Wyn Burgess BSc (Hons) FCABE MRICS. Consequently, estimates for works of repair were obtained and said to cost in the region of £4,000 (including professional fees), of which each lessee is required to contribute a 25% share.
5. All four lessees were said to support the application and single line statements were received from Ian Clasper (BF), Christopher Thomas (GFF), Jasmin Shah (FFF) and Robert Grandison (SFF) to this effect.

The tribunal’s decision and reasons

6. The tribunal determines that it is reasonable and appropriate to grant the application dispensation from the consultation requirements of section 20. The tribunal is satisfied urgent works of repair to the roof are required and that the application is not opposed by any of the lessees of the four flats in the subject property.

Name: Judge Tagliavini

Date: 2 February 2022

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).