



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

**Case reference** : **LON/00BK/LDC/2023/0283**

**Property** : **69-71 Gloucester Terrace, Bayswater,  
London W2 3DH**

**Applicant** : **Together Property Management**

**Representative** : ***Ref: Nick Hristov***

**Respondent** : **Various lessees as per the application**

**Representative** : **N/A**

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

**Tribunal member** : **Judge Tagliavini**

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

**Date of decision** : **4 March 2024**

---

**DECISION**

---

### **The tribunal's decision**

1. The tribunal grants the applicant dispensation from all consultation required by section 20 of the Landlord and Tenant Act 1985, in respect of the replacement of the communal boilers at 69-71 Gloucester Terrace, Bayswater, London W2 3DH ('the property').
- 

### **The application**

2. The applicant/landlord has applied for dispensation from the statutory consultation requirements in respect of works to be carried out to replace the communal boilers in the building, which have been identified as faulty by a boiler engineer. The estimated cost of the works was not provided in the application but appear to be in the region of £4,500 (plus VAT).

### **The background**

3. In a Statement of Case the applicant stated it had instructed KM Refrigeration Electrical Services Ltd on 13th of October 2023, to turn on the communal boilers at the property as cold weather was approaching. The contractor attended the property and confirmed the boilers need replacing, rather than repair as the cost of repairing would exceed the cost of replacement of the boilers.
4. Due to the urgent nature of the work it was decided to proceed with the replacement of the two communal boilers and the contractor was given permission to go ahead on 27th of October 2023. Since the replacement of the boilers, the applicant states it has not received any communications from the respondent lessees on these works and no further reports have been received by any residents about the heating.

### **The hearing**

5. Neither party requested an oral hearing and the application was determined using the documents provided by the parties in the form of a single digital bundle numbering 45 pages.

### **The tribunal's reasons**

6. In reaching its decision, the tribunal satisfied itself that the lessees had been notified of the application and provided with an opportunity to raise any objection. However, neither the applicant nor the tribunal

have received any objections to this application from the respondent lessees.

7. In the absence of any objections from the lessees and having regard to the urgent and necessary nature of the work, for which the applicant seeks dispensation, the tribunal considers it is reasonable and appropriate to grant the dispensation from consultation sought.

**Name: Judge Tagliavini**

**Date: 4 March 2024**

### **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 should be made on Form RP PTA available at <https://www.gov.uk/government/publications/form-rp-pta-application-for-permission-to-appeal-a-decision-to-the-upper-tribunal-lands-chamber>

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).