



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

Case reference : **LON/00AN/LDC/2024/0010**

Property : **91 Greyhound Road, Fulham, London
W6 8NJ**

Applicant : **Southern Land Securities Limited**

Representative : **Together Property Management**

Respondents : **(1) Mr William J
Ellinson and Mrs Claudia A
Spink (Flat 3)**
**(2) Mr Matthew
Saunders (Flat 2)**
**(3) Polly Grace
Waters & Mr H Waters (Flat 1)**

Representative : **N/A**

Type of application : **Dispensation from consultation –
section 20ZA of the Landlord & Tenant
Act 1985**

Tribunal member : **Judge Tagliavini**

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

Date of decision : **27 March 2024**

DECISION

Decision of the tribunal

1. The tribunal grants the applicant landlord dispensation from all of the statutory consultation requirements of section 20 of the Landlord and Tenant Act 1985, in respect of the urgent works to the flat roof that were required and carried out to remedy the ingress of water into the residential parts of the premises at 91 Greyhound Road, Fulham, London W6 8NJ ('the Property') in the sum of £1188.00 (inclusive of VAT).
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The application

2. The Applicant landlord has applied for dispensation from the statutory consultation requirements of section 20 of the Landlord and Tenant Act 1985 in respect of roof works required to the flat following reports of water ingress.
3. Although a s.20 Notice of Intention had been served on the leaseholders in about July 2023, this was no longer relied upon by the applicants due to the urgent nature of the works.

The background

4. The subject Property comprises a mid-terrace Victorian property converted into three self-contained residential units. In July 2023, the landlord's managing agents received a report of water entering the above property and causing damage internally from the rear of the flat roof.
5. Contractors, Hamilton Roofing Ltd were instructed and provided a quotation for the required works. The cost however for the required works, were above the legal section 20 threshold for this property. Due to the nature of the repairs the quotation received from Hamilton Roofing was accepted and the necessary works were carried out in order to prevent further damage to this property.

The hearing

6. As neither party requested an oral hearing, the tribunal determined the application on the documents provided by the applicant in a digital bundle of 60 pages. No objections or other representations were received from the respondents.

Reasons for the tribunal's decision

5. The tribunal is satisfied the respondent leaseholders have been notified of this application and have chosen to make any representations in respect of it.
6. In reaching its decision the tribunal took into account the documentary evidence provided by the applicant.
7. In the absence of any objection from any leaseholder identifying any substantive prejudiced caused if dispensation from consultation is granted, the tribunal finds the works were of a sufficient urgency to require remedy and that it is reasonable and appropriate to grant the dispensation sought; *Daejan Investments v Benson* [2013] UKSC 14.

Name: Judge Tagliavini

Date: 27 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 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).