



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

Case reference : **LON/00BE/LDC/2023/0034**

Property : **37 Tanner Street, London SE1 3LF**

Applicant : **Venice Alaran HAUS block Management**

Representative : **N/A**

Respondents : **All leaseholders at 37 Tanner Street, London SE1 3LF**

Representative : **N/A**

Type of application : **Application for dispensation to consult – section 20ZA of the Landlord and Tenant Act 1985**

Tribunal : **Judge Tagliavini**

Date of decision : **12 July 2023**

DECISION

The tribunal's summary decision

- (1.) The tribunal grants dispensation pursuant to s.20ZA of the Landlord and Tenant Act 1985 ('the 1985 Act') in respect of urgent electrical works required and carried out at 37 Tanner Street, London SE1 3LF as set out in the electrician's report dated 24 October 2022 and as quoted by SM Property Management Solutions Limited 12 January 2023.
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The application

1. This is an application made pursuant to section 20ZA of the Landlord and Tenant Act 1985 ('the 1985 Act') seeking dispensation for the consultation requirements in respect of urgent electrical works required at the subject premises situate at 37 Tanner Street, London SE1 3LF ('the premises').

Background to the application

2. The applicant has applied for dispensation from the statutory consultation requirements in respect replacement of all three cables, rye fields distribution boards and possibly some of the trunking where it is rusted or parts are missing and the cupboards doors are allowing in water. As a consequence, the electrical power supply to the whole building is disrupted. The full extent of these repairs is outline in the electrician's report dated 24th October 2022.
3. The estimated cost of the works is £24,256.80 including VAT which is outline in a quote from SM Property Management Solutions Limited 12th January 2023.
4. The premises comprise a purpose built residential property consisting of one block split in cores numbered 4-9 and 13-20 and with 2 communal entrances and 5 private flats, housing 20 residential units on the lower ground to 3rd floor. The landlord is Weltonvale

(Tanner Street) Ltd.

5. The leaseholders have been notified by email of the cost of works and been provided with a copy of the electrician's report. The application is said to be urgent because this involves a fault with the electrics that trips the power supply to the whole building and although a temporary fix has been implemented it is not guaranteed to last for any length of time.

The applicant's case

6. The applicant relied upon its documentary evidence. In an email dated 26 April 2023 the applicant confirmed no objections to the application had been

received from the lessee respondents by the deadline of 21 April 2023 (as per the tribunal's directions dated 28 March 2023).

The hearing

7. The application was determined by the tribunal on the papers as no party requested an oral hearing. In making its decision the tribunal took into account the information provided by the applicant by way of a bundle comprising 32 electronic pages. No documentation was received from the respondent lessees.

The tribunal's decision and reasons

8. The tribunal grants dispensation pursuant to s.20ZA of the Landlord and Tenant Act 1985 ('the 1985 Act') in respect of the urgent electrical works required at 37 Tanner Street, London SE1 3LF as detailed in the quote of SM Property Management Solutions Limited dated 12 February 2023.
9. The tribunal has had regard to the urgent nature of the works and the absence of any objection by the respondents to either the works that have been carried out or to this application. The tribunal has also considered the absence of prejudice caused by the lack of consultation pursuant to section 20 of the 1985 Act in respect of the works for which the applicant seeks dispensation. Therefore, in the circumstances the tribunal considers it reasonable and proportionate to grant the application sought; *Daejan Investments Limited v Benson and others* [2013] UKSC 14.

Name: Judge Tagliavini

Date: 12 July 2023

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).