



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

**Case reference** : **LON/00BE/LDC/2023/0106**

**Property** : **Regal Row, Peckham, London SE15 2NH**

**Applicant** : **Regal Row Limited**

**Representative** : **Ringley Law LLP**

**Respondents** : **All leaseholders as per the application**

**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** : **8 August 2023**

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**DECISION**

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## **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 works to the electrics at Regal Row, Peckham, SE15 2NH London as identified in the estimate of A Electrics Solutions Limited.
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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 the works required to urgently address faulty electrics at Regal Row, Peckham, London SE15 2NH ('the premises').

## **Background**

2. The subject premises comprises a purpose built block of nine flats.
3. The Applicant has applied for dispensation from the statutory consultation requirements in respect of repairs to fix the faulty electrics in the property. These health and safety works were carried out urgently following some electric testing which revealed that some of the electrics were dangerous and in need of repair to ensure the safety of the owners and prevent further damage to the property. In light of the urgency of the required works they were carried out without consultation with the leaseholders. The cost of the works was estimated at £9,600 (inc. VAT) as set out in the estimate of A Electric Solutions Limited.
4. The tribunal was satisfied the leaseholders had been informed of this application as stated in an email from the applicant to the tribunal dated 31 May 2023. However, no response/objections have been received by the tribunal from the respondents.

## **The hearing**

5. 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 51 electronic pages which included a witness statement from Catherine Griffen property manager dated 24 May 2023. No documentation was received from the respondents.

### **The tribunal's decision and reasons**

6. The tribunal grants dispensation pursuant to s.20ZA of the Landlord and Tenant Act 1985 ('the 1985 Act') in respect of the repairs to the electrical works at the subject premises.
7. The tribunal has had regard to the urgent nature of the works as evidenced by the reports included in the documents provided to the tribunal 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: 8 August 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).