



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

**Case reference** : **LON/00AQ/LDC/2024/0230**

**Property** : **207 and 209 Christchurch Avenue,  
Harrow, HA3 5BA**

**Applicant** : **Southern Land Securities Limited**

**Representative** : **Together Property Management  
(Nick Hristov)**

**Respondents** : **Juliet Marcia White  
James Quinn**

**Type of application** : **Dispensation with Consultation  
Requirements under section 20ZA  
Landlord and Tenant Act 1985**

**Tribunal member** : **Judge Robert Latham**

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

**Date of decision** : **25 November 2024**

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**DECISION**

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The Tribunal grants this application to dispense retrospectively with the consultation requirements imposed by section 20 of the Landlord and Tenant Act 1985 without condition in respect of urgent works to repair the roof to prevent water penetration.

## **The Application**

1. By an application, dated 12 August 2024, the Applicant applies for retrospective dispensation from the statutory duty to consult in respect of urgent works to repair the roof of Flat 207 Christchurch Avenue to prevent water penetration. The works were carried out by MAC Roofing who submitted an invoice, dated 13 April 2023, for £900 in respect of the works. The cost of the works will exceed the statutory threshold of £250 per flat and dispensation is therefore required.
2. On 5 September 2024, the Tribunal issued Directions. The Directions stated that the Tribunal would determine the application on the papers, unless any party requested an oral hearing. No party has done so.
3. By 18 September 2024, the Applicant was directed to send to the leaseholders by email, hand delivery or first-class post copies of (a) the application form; (b) the Directions; and (c) the relevant invoice identifying the nature and extent of the works. On 6 September, the Applicant confirmed that it had complied with this Direction.
4. By 2 October 2024, any leaseholder who opposed the application was directed to complete a Reply Form which was attached to the Directions and send it both to the Tribunal and to the Applicant. The leaseholder was further directed to send the Applicant a statement in response to the application. No leaseholder has returned a completed Reply Form opposing the application.
5. The Applicant has provided a Bundle of Documents (32 pages) in support of the application. It has also provided a copy of the lease for Flat 207 Christchurch Avenue.
6. Section 20ZA (1) of the Act provides:

“Where an application is made to the appropriate tribunal for a determination to dispense with all or any of the consultation requirements in relation to any qualifying works or qualifying long term agreement, the tribunal may make the determination if satisfied that it is reasonable to dispense with the requirements.”
7. **The only issue which this Tribunal has been required to determine is whether or not it is reasonable to dispense with the statutory consultation requirements. This application does not concern the issue of whether any service charge costs will be reasonable or payable.**
8. The Tribunal is satisfied that it is reasonable to grant retrospective dispensation from the statutory consultation requirements. This is justified by the urgent need for the works. There is no suggestion that

any prejudice has arisen. In the circumstances, it is appropriate to grant dispensation without any conditions.

9. The Tribunal will serve a copy of this decision on the Applicant and the two Respondents.

**Judge Robert Latham**  
**25 November 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 **by e-mail** 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).