



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

Case reference : LON/00AW/LDC/2025/0672

Applicant : 13 Queens Gate Gardens Management Company Limited

Respondent : The Leaseholders of 13 Queens Gate Gardens, London SW7 5LY

Property : 13 Queens Gate Gardens, London SW7 5LY

Tribunal : Deputy District Judge Samuel sitting as a Tribunal Judge

Date of decision : 6 May 2025

DECISION

Background to the application

1. By application dated 7 March 2025 the Applicant/landlord has applied for dispensation from the statutory consultation requirements in respect of works to the lift at 13 Queens Gate Gardens, London SW7 5LY ('the property').
2. The property is a residential block comprising 4 leasehold units spread over seven floors including a basement.
3. Under section 20 of the Landlord and Tenant Act 1985 and the regulations made under it, a landlord contemplating carrying out major works (defined as works costing more than £250 per flat) has to carry out a consultation, on pain of having the recoverability of the cost of the works capped at £250 per flat.
4. The application states:

The leaseholders are currently without a working lift. Some leaseholders have mobility issues and are struggling to walk the stairs. The building is tall with several flights of stairs

The proposed qualifying works are for works to the lift which is currently not working. It includes Ram Seal Replacement, Uil Replacement and A£ DLV Safety Valve. These works total £8415 inclusive of VAT. (sic)

The building has several flights. There are leaseholders and tenants with mobility issues who are dependent on the lift and who are currently facing ongoing hardship whilst the lift is inoperable.

5. The only evidence in support is a quotation from Direct Lifts Services Limited dated 27 February 2025 for £6,788.25 plus VAT
6. The Tribunal gave directions in this matter on 19 March 2025. The leaseholders have not participated in the application, which has therefore continued on an undefended basis.
7. The Applicant emailed the leaseholders and tenants on 7 March 2025 which explained the quotation received and informed them that they were going to seek dispensation.
8. On 1 April 2025 the Applicant informed the Tribunal that the application had been sent to the leaseholders and displayed in the property.

Reasons

9. Given the lack of a response to the application no prejudice arising from the lack of consultation with the Respondents has been identified. There is no evidence before the Tribunal that the works proposed are inappropriate or that the quotation is more than would be appropriate.
10. This dispensation does not mean that the tenants cannot challenge the cost or quality of the work done. It simply dispenses with the consultation requirement.
11. There is no application in respect of the fees for applying to the Tribunal, so we make no order in respect of such fees.

DETERMINATION

- (a) The Tribunal grants a dispensation pursuant to section 20ZA of the Landlord and Tenant Act 1985 in respect of the works which are the subject of the application.
- (b) The Tribunal makes no order in respect of the fees payable to the Tribunal.

Name: DDJ Samuel

Date: 6th May 2025