



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

Case reference : LON/00BH/LDC/2025/0662

Applicant : 18 Carisbrooke Road RTM Company Limited

Respondent : The leaseholders of 18 Carisbrooke Road, London E17 7EF

Property : 18 Carisbrooke Road London E17 7EF

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 6 February 2025 the Applicant/landlord has applied for dispensation from the statutory consultation requirements in respect of roofing works at 18 Carisbrooke Road, London E17 7EF ('the property')
2. The property is a residential block comprising 4 leasehold units.
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:

A roof leak has occurred in which is affecting one of the top floor flats, and is causing damage to the property, as a result the works are considered urgent to avoid further damage being caused to the property

The director of 18 Carisbrooke Road RTM Company Ltd has obtained there own quotation from a contractor and the works will be instructed imminently (sic)

5. The only evidence in support is an email quotation from Roofing Services A-Z dated 29 January 2025 for £1,630 plus VAT for, *inter alia*, scaffolding, repair to the parapet wall, removal of 5 courses of tiles and fitting a new roofing membrane.
6. The Tribunal gave directions in this matter on 17 March 2025. The leaseholders have not participated in the application, which has therefore continued on an undefended basis.
7. The Applicant's representatives confirmed with the Tribunal that the quotation had been sent to the Respondents on 20 March 2025 and on 23 April 2025 confirmed that no '*oppositions*' had been made to the Application

Reasons

8. 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.
9. 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.
10. 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

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).