



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

Case reference : LON/00AG/LDC/2025/0665

Property : 55 Warren Street, London W1T 5NZ

Applicant : Kindplace Limited

Representative : Strangford Management Ltd

Respondents : Various 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 : 5 August 2025

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 work to:

(a) Repair and replace roof tiles.

(b) Remedy works to slope roof.

(c) Party wall bricks repair and removal with new lead.

(d) Any necessary repair works to the front and rear slated pitches.

(e) Work to include all repairs relating to timbers, battens, cross battens, slates etc.

At the estimated cost of the works of £4,600+VAT

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 the roof and associated repairs in order to prevent water ingress.

Background

2. The property at **55 Warren Street, London W1T 5NZ** comprises a block of 5 residential flats and a commercial unit. The leases for the flats require the landlord to maintain the structure of the building including the roof, the cost of which the lessees are required to contribute by way of service charge.

3. The application is said to be urgent because the building has had an ongoing roof leak from the rear mansard, and damp patches due to adverse weather conditions, which is causing mould patches to develop internally, which are said to be detrimental to the health of the residents. The leaks are also said to be affecting the integrity of the structure.

4. The applicant/landlord has uploaded on its leaseholder portal the notice of intent for the new works required on 28 February 2025 and sent the postal version on 03 March 2025. It has also had various meeting with leaseholders affected informing them of the plans.

5. In its directions the respondents were required by the tribunal to provide any objections to this application by **26 June 2025**. However, no response/objections have been received by the tribunal from the respondents.

The hearing

6. The application was determined by the tribunal on the papers comprising a digital bundle of 94 pages 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 16 pages in addition to the application and the accompanying documents. No documentation was received from any of the respondents.

The tribunal's decision and reasons

7. The tribunal grants dispensation pursuant to s.20ZA of the Landlord and Tenant Act 1985 ('the 1985 Act') in respect of the intended works to:

(a) Repair and replace roof tiles.

(b) Remedy works to slope roof.

(c) Party wall bricks repair and removal with new lead.

(d) Any necessary repair works to the front and rear slated pitches.

(e) Work to include all repairs relating to timbers, battens, cross battens, slates etc.

At the estimated cost of the works of £4,600+VAT

8. The tribunal has had regard to the urgent nature of the works and the absence of any objection by any respondent to this application or the proposed works. 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 both sets of 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: 5 August 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 should be made on Form RP PTA available at <https://www.gov.uk/government/publications/form-rp-pt-a-application-for-permission-to-appeal-a-decision-to-the-upper-tribunal-lands-chamber>

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).