



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

Case reference : LON/00AM/LDC/2025/0806

Property : Flat H, 23 Phipp Street, London EC2A 4NP

Applicant : Kingsland Road 1 Limited and Kingsland Road 2 Limited

Representative : Ringley Law – Lee Harle
Ref: 30033430

Respondents : Alexandre Roland Julien Blanchard
Max Barney

Type of application : For the dispensation of some of the consultation requirements under s.20 Landlord and Tenant Act 1985

Tribunal member : Judge Tonya Richards-Clarke

Venue : Remote Paper Hearing

Date of decision : 20 October 2025

DECISION

Decision of the tribunal

The Tribunal grants the application for the dispensation of all or any of the consultation requirements provided for by s.20 of the Landlord and Tenant Act 1985 ("the Act") in relation to urgent lift works.

The application

1. The Applicant seeks a determination pursuant to s.20ZA of the Act for the dispensation of all or any of the consultation requirements provided for by s.20 of the Act. The application was dated 16 July 2025.

2. Directions of the Tribunal were issued on 26 August 2025.
3. The case was listed for a paper determination. Neither party requested an oral hearing.

The hearing

4. The matter was determined by way of a paper hearing which took place on 20 October 2025.

The background

5. The property which is the subject of this application is a flat in a purpose built block of 33 flats. This application is solely in relation to Flat H 23 Phipp Street, London EC2A 4NP.

The application

6. The Applicant has applied for dispensation from the statutory consultation requirements in respect of qualifying works of urgent lift works. The lift exclusively serves Flat H, 23 Phipp Street, London EC2A 4NP. The lift has a long standing history of frequent breakdowns and urgent works are required to modernise the lift system to ensure consistent reliable operation.
7. The Applicant and the Respondent have agreed their respective contributions to the costs of the work. The applicant obtained a quote of a budget sum of £27,503.23 plus VAT. The works commenced in October 2025.
8. The only issue for the Tribunal is whether it is reasonable to dispense with the statutory consultation requirements. This application did not concern the issue of whether any service charge costs will be reasonable or payable.
9. No notice was received from the Respondent opposing the application.

The decision of the Tribunal

10. s.20 of the Act provides for the limitation of service charges in the event that the statutory consultation requirements are not met. The consultation requirements apply where the works are qualifying works (as in this case) and only £250 can be recovered from a tenant in respect of such works unless the consultation requirements have either been complied with or dispensed with.
11. Dispensation is dealt with by s.20ZA of the Act which provides: -

"Where an application is made to a leasehold valuation 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"

12. The Tribunal took into account that there have been no objections to this application from the Respondent and that the Applicant and the Respondent have agreed their respective contributions to the costs of the work. The Tribunal could not find prejudice to the Respondent by the granting of dispensation relating to the urgent lift works.
13. As a result, the Tribunal believes that it is reasonable to allow dispensation in relation to the subject matter of the application.
14. Accordingly, the Tribunal grants the Applicant's application for the dispensation of all or any of the consultation requirements provided for by section 20 of the Landlord and Tenant Act 1985 in relation to urgent remedial works to the lift serving Flat H, 23 Phipp Street London EC2A 4NP. The Tribunal is satisfied that, in the particular circumstances of this case, involving access to Flat H, it is reasonable to dispense with the consultation requirements.
15. The Tribunal's determination is limited to this application for dispensation of consultation requirements under section 20ZA of the Act

Name: Tonya Richards-Clarke

Date: 20 October 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).