



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

Case reference : **LON/00AK/LDC/2025/0817**

Property : **1-9 Harper Close Chase Road London
N14 4ES**

Applicant : **The Grove Flat Management Company
Limited**

Representative : **Barnard Cook**

Respondent : **Leaseholders of 1-9 Harper Close**

Representative : **-**

Type of application : **Dispensation from consultation
requirements S20ZA**

**Tribunal
member(s)** : **Mrs E Flint FRICS**

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

Date of decision : **29 October 2025**

DECISION

1. The Tribunal grants dispensation from all of the consultation requirements under S.20 of the Landlord and Tenant Act 1985 in relation to repairs to the lift.
2. The question of reasonableness of the works or cost was not included in this application, the sole purpose of which is to seek dispensation.

Background

3. On 27 May 2025 the managing agents were advised that the lift in the block was out of action. The incumbent lift company attended and advised that the door motor unit had failed. It could not be repaired in situ and removed the motor to obtain a quotation from a specialist for its repair.
4. On 30 May Notice of Intention was issued. The leaseholders were advised that an application for dispensation would be made as it was important to have the lift working as quickly as possible to reduce the inconvenience to the residents. The managing agents were particularly mindful that there was an elderly person living on the top floor who relied on the lift to get to and from her flat.
5. An estimate in the sum of £4,884 + VAT was obtained from the incumbent lift maintenance company, it seems that other companies who were approached were unable to complete the work within same timescale. The company was authorised to proceed with the repairs.
6. Directions were issued on 10 September. No objections to the application were received from any of the Respondents.

The law

7. By S20ZA of the Act “*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.*”

Reasons

8. The relevant test to be applied in an application for dispensation was set out by the Supreme Court in *Daejan Investments Ltd v Benson & Ors* [2013] UKSC 14 where it was held that the purpose of the section 20 consultation procedure was to protect tenants from paying for inappropriate works or paying an inappropriate amount. Dispensation should not result in prejudice to the tenant.
9. I determine from the evidence before me that the works were necessary, were required to be completed urgently to minimise the disruption to the residents. No prejudice to the lessees has been demonstrated or asserted.
10. On the evidence before it, and in these circumstances, I am satisfied that the application for dispensation should be granted.

Determination

11. Dispensation is granted pursuant to section 20ZA of the Landlord and Tenant Act 1985 in respect of the lift repairs.

Signed: Evelyn Flint

Date: 29 October 2025

RIGHTS OF APPEAL

1. 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.
2. 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.
3. The application should be made on Form RP PTA available at <https://www.gov.uk/government/publications/form-rp-pta-application-for-permission-to-appeal-a-decision-to-the-upper-tribunal-lands-chamber>
4. 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.
5. 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.