



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

Case reference : **LON/00BJ/LDC/2025/0864**

Property : **The Magdalen, 278 Magdalen Road,
London SW18 3NY**

Applicant : **The Magdalen RTM Company Limited**

Representative : **Olympus Management
*Ref: Jay Hide MTPI***

Respondents : **Various Leaseholders of The Magdalen**

Representative : **N/A**

Type of application : **Dispensation for consultation – s.20ZA
of the Landlord and Tenant Act 1985**

Tribunal member : **Judge Tagliavini**

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

Date of decision : **17 November 2025**

DECISION

Decisions of the tribunal

- (1) The tribunal grants the applicant the dispensation from consultation sought in respect of works to the pump as per the quotation provided by KM Services dated 24 June 2025.
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The application

1. The applicant seeks dispensation from consultation pursuant to s.20ZA of the Landlord and Tenant Act 1985.

The background

2. The subject property is a purpose-built block of flats comprising 38 residential units and 1 commercial unit on the ground floor.
3. The applicant seeks dispensation from consultation in respect of significant repair works to the pump due to a failure of the on-site equipment. The work is said to be required as a matter of urgency, in order to prevent a significant failure of the pump and the loss of a water supply to the subject property.
4. The respondents were not served with an s.20 consultation notices as the applicant wished to proceed immediately with the quotation provided by the current pump maintenance contractors KM Services. Subsequently, the respondent leaseholders were provided with a copy of the application and details of the anticipated costs of £5,955.00 (plus VAT).

The hearing

5. Neither party requested an oral hearing and therefore the tribunal determined the application using the 86 digital bundle provided by the applicant.
6. No objections to the application were received from the respondents.

The decision

7. The tribunal is satisfied that works to the pump providing a water supply to the subject premises are required expeditiously. The tribunal is also satisfied the respondents have not objected to the application and/or have failed to show they have been caused any substantial prejudice by the absence of any consultation prior to the works being carried out; *Daejan Investments Ltd v Benson & others* [2011] EWCA Civ 38.

8. Therefore, the tribunal grants the dispensation from consultation sought by the applicant in respect of works to the pump as per the quote dated 24 June 2025 from KM Services.

Name: Judge Tagliavini **Date:** 17 November 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-pta-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).