



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

Case Reference: **LON/ooAY/LDC/2025/0827**

HMCTS code: **P: PAPERREMOTE**

Property: **1-66 Sandhurst Court Acre Lane London
SW2 5TX**

Applicant: **Sandhurst Court Limited**

Representative : **Ringley Law**

Respondents: **The long leaseholders of the flats 1-66
Sandhurst Court listed in the schedule to
the application**

**Type of
Application:** **To dispense with the statutory
consultation requirements under
section 20ZA Landlord and Tenant Act
1985 (the 'Act')**

Tribunal: **Judge Pittaway**

Date of decision: **3 February 2026**

DECISION

The Tribunal grants the application for retrospective dispensation in respect of the subject works ('the works'), namely urgent remedial works required to the pointing, and boxing-in and cladding works to the outside fabric of the building to prevent water ingress as set out in the reports and quotations from Rosco & Perlini of 26 January 2025 and 27 January 2025. The retrospective dispensation is limited to the works set out in those reports and quotations.

This decision does not affect the Tribunal's jurisdiction upon any future application to make a determination under section 27A of the Act in respect of liability to pay, for a reason other than non-consultation in respect of the subject works, and the reasonableness and/or the cost of the subject works.

Description of hearing

This has been a remote hearing on the papers which has been consented to by the applicant and not objected to by any respondent. The form of remote hearing was P:PAPERREMOTE. A face-to-face hearing was not held because no-one requested a hearing and all issues could be determined on paper.

The documents to which the Tribunal was referred are in a bundle of 77 pages which included the application dated 22 May 2025, the Tribunal's directions of 10 September 2025, a lease of one of the flats, quotes for the works from Rosco and Perlini and a witness statement from Anastacia Theophanous of Ringley Law of 15 October 2025 as to the documents that had been sent to the leaseholders and displayed at the Property.

The Tribunal has had regard to the above documents in reaching its decision set out below.

The Application

1. The applicant seeks a determination pursuant to section 20ZA of the Landlord and Tenant Act 1985 (the 'Act') for retrospective dispensation from consultation in respect of the works to the Property.
2. The applicant seeks dispensation from the consultation requirements on the ground that the works were urgent because of ongoing leaks and potential damage to the Property.
3. The application stated that the applicant had not provided any consultation notices, as required under Section 20ZA of the Landlord and Tenant Act 1985, due to the urgency of the works.

4. By directions dated 10 September 2025 (the ‘**directions**’) the Tribunal directed that the applicant by 17 September 2025 send to each leaseholder, any residential sublessees and any recognized residents’ association the application, a brief statement to explain the reason for the application (if not contained in the application) and the directions and display a copy in a prominent place in the common parts of the property, and to confirm to the Tribunal by 22 September 2025 that this had been done. On 22 September 2025 the applicant confirmed that the application had been e mailed to the leaseholders on 16 September 2025 and that the documents had been displayed on the notice board at the Property on 22 September 2025.
5. The directions provided that if any leaseholder/sublessee objected to the application he/she should do so, to the applicant and the Tribunal, by 1 October 2025. The Tribunal received no objections and the witness statement of Anastacia Theophanous of 15 October 2025 confirmed on behalf of the applicant that it had received none.
6. The directions provided that the Tribunal would decide the matter on the basis of written representations unless any party requested a hearing. No such request has been made.

The Applicant’s case

7. There is no statement of case in the bundle before the Tribunal so it has had to rely on the information provided by the applicant in its application, and the two quotes for work from Rosco & Perlini contained in the bundle.
8. The application describes the property as a purpose built property of 66 residential flats. It states that the works have already been carried out. It does not state the cost of the works, but it does state that they are qualifying works to which section 20ZA of the Act applies.
9. The application states that the works were urgent as water damage ingress was causing damage to three flats, and black mould. The works were required to the outside fabric of the building.
10. The application states that because of the urgency of the works there was limited consultation.
11. The bundle contains a report from Rosco & Perlini of 27 January 2025 which identifies water ingress and black mould at Flat 34. A quotation of the same date identifies the following work as required

- Removal of cement particle board to be replaced with waterproof cladding panels attached to a galvanized metal framework
- Removal of the metal staircase to allow waterproofing and sealant and then refitted.

The quotation is for £3,945 plus VAT.

12. The bundle also contains a report from Rosco and Perlini of 26 January 2025 identifies water ingress to Flat 33 and a quotation of that date identifies the following work as required

- Erection of scaffolding
- Removal of cement particle board to be replaced with waterproof cladding panels
- Removal of the metal staircase to allow waterproofing and sealant

The quotation is £9,430 plus VAT

The Tribunal notes that that quotation refers to the need to further investigate a downpipe at the Property, but there is no application before it in relation to any works to that drainpipe.

13. The application states that the works started on 18 April 2025 and were completed on 21 May 2025 at a cost of £16,050 including VAT.

Responses from the Respondents

14. The Tribunal received no responses from any respondent and the applicant states that it had received none.

Determination and Reasons

15. Section 20ZA(1) of the Act 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.”

16. The purpose of section 20ZA is to permit dispensation with the consultation requirements of section 20 of the Act if the Tribunal is satisfied that it is reasonable for them to be dispensed with.

17. The Tribunal determines that the respondents are not prejudiced by the works and it is reasonable to dispense with the consultation requirements.
18. In reaching its decision the Tribunal has considered the decision in *Daejan Investments Ltd v Benson and others* [2013] UKSC 14. It has had regard to the application and the documents provided, in particular the stated need for the works to be undertaken urgently.
19. Whether or not the respondents are liable for the cost of the works by reason of the terms of their leases, any statutory provision other than section 20ZA, and whether the works are carried out to a reasonable standard and at a reasonable cost are not matters which fall within the jurisdiction of the Tribunal in relation to this present application. This decision does not affect the Tribunal's jurisdiction upon any future application to make a determination under section 27A of the Act in respect of liability to pay and the reasonableness and /or cost of the works.

Name: Judge Pittaway Date: 3 February 2026

ANNEX - 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. 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.

4. 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.