



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

Case reference : **LON/00AG/LDC/2025/0700**

Property : **1-9 Highfields Mews, Compayne
Gardens, South Hampstead, NW6 3GB**

Applicant : **Maccabbi House Management Company
Limited**

Representative : **Broadlands Estate Management LLP**

Respondent : **The Leaseholders**

Type of application : **For dispensation from statutory
consultation - Section 20ZA Landlord
and Tenant Act 1985**

**Tribunal
member(s)** : **Mr O Dowty MRICS**

**Date of
determination** : **6 February 2026**

DECISION

Decision of the Tribunal

I grant the application for dispensation from statutory consultation in respect of the qualifying works.

The application

1. The applicant is the management company at the property. The property is a purpose built block of 9 flats
2. The application, dated 22 October 2025, seeks a determination pursuant to section 20ZA of the Landlord and Tenant Act 1985 (“The Act”) dispensing with statutory consultation in respect of qualifying works. At

the time of that application those works had not been carried out, but they have now been.

3. Directions were issued by the Tribunal on 18 July 2025. Amongst other things, those directions provided that the applicant was to serve copies of the application form and the Tribunal's directions upon the respondents, to display a copy of the Tribunal's directions in the common parts of the property and to provide any replies to the Tribunal's directions received by them from the respondents (or confirm that there was none).
4. The applicant confirmed, in an email dated 24 July 2025 from Tom Lockhart (a member of staff of the applicant's representative), that the documents referred to in the Tribunal's directions had been served upon the respondents and displayed at the property. The applicant did not, however, provide in the bundle replies from the respondents nor confirm that they had received no replies from the respondents.
5. Accordingly, on 5 February 2026 I asked the Tribunal's case officer to write to the applicant to seek either those replies or confirmation there had been none. The applicant then provided, in an email again from Tom Lockhart dated 6 February 2026, confirmation that they had received no replies.
6. The Tribunal considered that a paper determination of the application was appropriate, the applicant indicated that they were content for this to happen in their application and no objections were received from any respondents. I agree, and I have therefore determined this matter on the basis of the papers provided to me without a hearing.
7. I did not inspect the subject property as it was not necessary to do so to determine the present application.

The Qualifying Works

8. The works consisted of lift repair works – specifically concerning the lift drive. The works were said to be urgent as this meant that the lift was out of operation, and that residents therefore could not use it.
9. The applicant provided a quote from Chaney Lifts Ltd to the sum of £4,620 (including VAT) for the works; alongside job sheets from both the initial call out and the repair itself.

10. The applicant did not carry out a full consultation, but did provide the leaseholders with a 'Stage 1' Notice of Intention concerning the works dated 2 April 2025.

Decision and Reasons

11. Section 20ZA(1) of the Act provides:

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.

12. The applicant's case is that it was necessary to urgently repair the lift as it could not be used by the residents of the building. I consider that is clearly a good reason for the works to have been conducted urgently.
13. No leaseholder or other interested party has indicated their objection to the application at all. It is therefore trite to note that no leaseholder or other interested party has identified any prejudice that might be, or has been, suffered by them as a result of the failure to consult. Similarly, I have not identified any clear prejudice that the leaseholders or any other interested parties have suffered, or might suffer, in the absence of any such representations from them.
14. In light of the above, I consider it reasonable to grant the application for dispensation from statutory consultation. No conditions on the grant of dispensation are appropriate and I therefore make none.
15. This decision does not affect the Tribunal's jurisdiction upon an application to make a determination under section 27A of the Act in respect of the reasonable and payable costs of the works, should this be disputed by any leaseholder.

Name: Mr O Dowty MRICS

Date: 6 February 2026

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).