



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

**10**

**Case Reference** : **MAN/00DA/HPO/2025/0609**

**Property** : **Flat 10, Meridian House, Armley, Leeds**

**Applicant** : **YAIR BLOOM**

**Respondent** : **LEEDS CITY COUNCIL**

**Type of Application** : **Appeal against Prohibition Notice, paragraph 7, schedule 2 to the Housing Act 2004**

**Tribunal Members** : **Tribunal Judge A Davies  
Tribunal Member N Swain, MRICS**

**Date of Decision** : **19 February 2026**

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**DECISION**

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The Prohibition Order dated 30 July 2025 is confirmed.

**REASONS**

**BACKGROUND**

1. In 2020 the Applicant and his wife bought the leasehold of Flat 10 on the upper ground floor of Meridian House, Armley, Leeds. They let the flat through local letting agents and at the date of the Prohibition Order a couple were living there with their young child.

2. Meridian House is a former office building, converted in or about 2017 to hold 29 residential units. The planning office required the developer to replace the windows with windows of a specific design with distinctive heavy blue frames.
3. In May 2025 the West Yorkshire Fire and Rescue Service (“the Fire Service”) notified the Respondent housing authority that they had serious concerns about fire safety at Meridian House. This had led the Fire Service to issue notices requiring fire safety measures to be put in place in the common parts of the building, including the provision of a fire door between the communal staircase and the front door of Flat 10. In order to remove the Fire Service restriction notice affecting his flat, Mr Bloom arranged and paid for the installation of the fire door, since the owner of the building was unwilling to do so. The Fire Service drew the Respondent’s attention to Flat 10, having no jurisdiction to enforce fire safety measures within the residential units.
4. Ms Koskivuori, a Principal Housing Standards Officer with the Respondent, inspected the property on 15 July 2025. She subsequently carried out an HHSRS assessment based on her findings and calculated that there was a high-scoring Category 2 fire hazard at the property. She took the view that the appropriate enforcement action was a Prohibition Order, and served a suspended Prohibition Order on Mr and Mrs Bloom on 30 July 2025. The order was suspended until the end of November 2025 or until Flat 10 was vacated, if earlier. In the event, the tenants left the flat during September 2025.
5. The Prohibition Order sets out the remedial action to be taken in order to remove the fire hazards in the flat, namely
  - a) replacing the bedroom windows with escape windows
  - b) addition of cold smoke seals and intumescent strips to the doors of both bedrooms
  - c) provision of smoke alarms to both bedrooms, and
  - d) ensuring that occupiers of the flat are “individuals who can be reasonably expected to exit via the window unaided”. This last requirement reflects the fact that the occupants of one bedroom may not be able to get through the kitchen/living room to assist the occupants of the other bedroom in the event of a fire.

## THE LAW

6. Paragraph 7 at Part 3 of Schedule 2 to the Housing Act 2004 enables a landlord to appeal to the Tribunal against a Prohibition Order.
7. Paragraph 11 provides that the appeal shall be by way of a re-hearing but may be determined having regard to matters which were existing when the order was made but of which the local housing authority was unaware at that time. Paragraph 13(2) provides that the tribunal may by order confirm, quash or vary the decision of the housing authority.

## THE HEARING

8. Mr and Mrs Bloom live in Israel. Arrangements were made for a hearing at the tribunal offices in York Place, Leeds to be attended by representatives of the Respondent, and by Mr Bloom by video link from his home. Mr Bloom did not have the permission of his government to give evidence in English judicial proceedings, but had previously provided the Tribunal with a written statement of his objections to the Prohibition Order, and supporting documentation. It was therefore determined that the Tribunal would hear the Respondent's case including the evidence of Ms Koskivuori whom Mr Bloom was free to cross examine. Mr Bloom had prepared a written submission, which he read out to the Tribunal. It was not necessary for Mr Bloom to give oral evidence at the hearing.
9. In addition to Mr Bloom's written evidence and documents, the Tribunal had a bundle of documents from the Respondent, including a witness statement from Mr James Davies, who was unable to attend the hearing. With Mr Bloom's consent, this evidence was accepted as providing background information and on the basis that the weight given to it would reflect the lack of any opportunity to cross examine. Mr Davies is a Senior Fire Safety Inspector with the Fire Service. He explained the Fire Service's role in bringing the safety issues at the property to the attention of the Respondent.
10. The Respondent was represented at the hearing by Ms Vodanovic of counsel.

## THE INSPECTION

11. Prior to the hearing, the Tribunal inspected Flat 10 with the Respondent's representatives and a representative of Stoneacre Properties, Mr Bloom's letting

agents. The door to the flat opens on to a kitchen/living room with a bedroom (with ensuite) to the right and a second bedroom and ensuite to the left. There is one window in each of the three rooms, conforming to the window design approved by the planning authority.

12. Because the risk of an outbreak of fire is greatest in the kitchen/living room, and because the only means of escape from the flat would be through that room to reach the entrance door, the windows in the bedrooms are required to be “escape windows”, with a minimum width (capable of being used for escape) of 450mm and an overall area of at least 0.33m<sup>2</sup>. This requirement is referred to in the LACORS guidance, the Buildings Regulations 2010, and the Respondent’s own fire safety principles, the current version of which is dated November 2019. Whereas the LACORS guidance states that fire safety requirements must be “applied flexibly to meet the needs of a particular property” (paragraph 7.4 of Housing – Fire Safety), the Building Regulations and the Respondent’s policy require strict adherence to the stated window measurements as a minimum safety measure.
13. With this and Mr Bloom’s appeal in mind, Ms Koskivuori measured the windows again in the presence of the Tribunal, one member of whom is a surveyor holding the qualifications MRICS and FAAV. The Tribunal noted that when the window was fully opened, the bulk of the frame and the method by which the window was hinged reduced to 415mm the width of the opening through which a person could escape.

#### THE APPEAL

14. Prior to purchasing the flat, Mr and Mrs Bloom received from their solicitors a detailed report on the property. This was supplied to the Tribunal along with the planning documents and correspondence. These documents show that the planners were at pains to retain the outward appearance of the building, and much attention was paid to the style of the windows and the colour of the frames. There is little or no mention of any checks as to safety features. However the solicitors provided, with the planning documents, a certificate dated 7 March 2017 signed by a Mr Dominic Workman of Quadrant Building Control. This was taken to be a Building Regulation Approval certificate and was relied upon by Mr and Mrs Bloom and their solicitors as demonstrating that Building Regulations had been complied with by the developer.

15. Mr Bloom could not find the certificate among his papers, but the Respondent was able to locate it and included it in their hearing bundle. It states *“This certificate relates to the following work: Conversion of office into 27 Apartments at Meridian House, .....The work described above has been completed and I have performed the functions assigned to me by regulation 8 of the [Building Regulations 2010].....A Final Certificate has now been issued in respect of all the work described in the Initial Notice....Copies of the notice of approval and a declaration of insurance relevant to the work described in the notice are on the register kept by the body designated under regulation 3 of the Regulations.... This certificate is evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with.”* It is clear that the final paragraph of the certificate renders it worthless as a document evidencing compliance with the safety provisions of the Building Regulations.
16. Mr Bloom protested that he had had all appropriate checks on the property carried out prior to his purchase, and that it was unfair to apply more stringent safety standards retrospectively. He referred to the considerable costs he would have to incur, firstly to obtain planning consent for a change to the windows, and subsequently in order to carry out rectification work. Meanwhile he was losing rental income. At the hearing he questioned whether the window openings had been correctly measured and suggested that the measures should have been taken by a “professional health and safety engineer.” In connection with the last point, he questioned Ms Koskivuori about her qualifications, and asked the Tribunal to consider whether they were prepared to accept the figures she had produced.

## CONCLUSION

17. The Tribunal finds that there is a high level Category 2 fire hazard at the property as assessed by Ms Koskivuori.
18. The kitchen being a high risk area, the bedrooms at each end of the flat require escape windows compliant with Building Regulations.
19. The windows are not compliant, the opening available for escape having a width of 415mm, which is appreciably less than the permitted minimum.

20. The Respondent is required to enforce safety measures once a hazard has been identified under the HHSRS scheme. This is not a retrospective application of new safety rules – Flat 10 did not comply with Building Regulations when the property was converted to residential use.
21. The flat owners' reliance on professional advice at the time of their purchase and the costs of rectification work are not considerations which override the need for safety measures to be put in place.
22. The windows must be replaced with windows which provide an adequate escape route.
23. Smoke alarms and bedroom door seals are required in order to limit the spread of fire and smoke.
24. Even after this work has been completed, an occupant of either bedroom who was incapable for any reason of climbing out of the window unaided would be in danger in the event of a fire. Consequently, the Respondent is justified in imposing an additional (and permanent) restriction on the property limiting the occupants to individuals who can reasonably be expected to exit via the window unaided. The alternative would be to reconfigure the flat so that the high risk kitchen area is separated by a door from the entrance to the flat, enabling occupants to make emergency exits from the bedroom(s) without recourse to the windows.
25. It follows that the Prohibition Order is considered necessary for the safety of any occupants of the flat. The Order and the remedial actions required by the Respondent are confirmed by the Tribunal.
26. In his application Mr Bloom sought to have the Respondent's inspection charge (£417.49) removed by the Tribunal. The charge is recoverable (at the Respondent's discretion) pursuant to section 50 of the Housing Act 2004, and is payable once the Tribunal has confirmed the Prohibition Order unless that confirmation is overturned on appeal. The Tribunal does not have jurisdiction to remit the charge, which remains in the discretion of the Respondent.