



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

Case reference	:	CAM/34UK/LDC/2025/0703
Property	:	Flats 1-4, 124 King Edward Road and 84 Lutterworth Road, Northampton, NN1 5LF
Applicant	:	Chelton Brown Block Management Ltd
Respondents	:	All leaseholders of dwellings at the Property
Type of application	:	Application under section 20ZA of the Landlord and Tenant Act 1985
Tribunal	:	Judge Wendy Banks
Date of decision	:	27 February 2026

DECISION

Decision

The Tribunal cannot be satisfied that all of the Respondents have been properly served with the application and/or that they have been given an opportunity to respond.

The Tribunal therefore makes the following directions:

1. The Tribunal will determine this application on or after 10 April 2026 based on written representation, unless by 27 March 2026 any party makes a request for an oral hearing. If any party requests an oral hearing it shall take place on a date to be advised.
2. By 13 March 2026 the applicant must comply with paragraph 2 of the directions dated 16 January 2026 (the “Directions”) by sending the documents to all of the respondents **either by hand delivery or first-class post** and by filing with the tribunal a letter confirming this has been done and stating the date on which this was done.
3. The time for compliance with paragraph 3 of the Directions shall be extended to 27 March 2026.

4. There shall be no requirement for further bundles.

Reasons

Background

1. The Applicant seeks a determination pursuant to section 20ZA of the Landlord and Tenant Act 1985, as amended (“the 1985 Act”) for the dispensation of consultation requirements in respect of certain “qualifying works” (within the meaning of section 20ZA).
2. The Applicant is the managing agent of flats 1-4, 124 King Edward Road and 84 Lutterworth Road, Northampton, NN1 5LF (“the Property”), being 4 flats from an external communal area on King Edward Road and on Lutterworth Road there is 1 flat with its own entrance.
3. It is set out in the application form that roof works are required as the roof “is leaking badly into flat 3 and 4, and with the winter weather coming it could not wait 3 months for a section 20”. The application continues that no official consultation has started although the directors are aware of the situation and that works are needed to be carried out urgently to ensure no further damage is caused.
4. The Respondents are the leaseholders of the flats in the Property who are potentially responsible for the cost of the repair works under the terms of their lease.
5. By virtue of sections 20 and 20ZA of the 1985 Act, any relevant contributions of the Respondents through the service charge towards the cost of these works would be limited to fixed sum (currently £250) unless the statutory consultation requirements, prescribed by the Service Charges (Consultation)(England) Regulations 2003 were: (a) complied with; or (b) dispensed with by the tribunal. In this application the only issue is whether it is reasonable to dispense with the consultation requirements.
6. **Any issue as to the cost of the works may be the subject of a future application by the landlord or leaseholders under section 27A of the 1985 Act to determine the payability of any service charge under the lease.**

Directions and responses

7. The application is dated 12 December 2025. Directions were issued by the tribunal on 16 January 2026. At paragraph 2 of the directions it states that by 26 January 2026, the Applicant must take the following steps: (a) send to each of the Respondents, **by hand delivery or by first class post (and by email, if practicable)**, copies of the application form, the directions, description of the relevant works for which dispensation was sought, estimate of the cost of the relevant works and any other evidence relied upon. The second part of that direction was that the Applicant would

file with the tribunal a letter confirming this has been done and stating the date on which this was done.

8. At paragraph 3 of the directions, it set out that those Respondents who oppose the application should complete a reply form and send it to the tribunal and send to the Applicant the statement in response by 6 February 2026.
9. The bundle includes a witness statement from Victoria Chelton Brown dated 10 February 2026, which I have considered. At paragraph 4 of her statement, she explains that the required documentation was collated and sent to all leaseholders on 26 January 2026. She refers to copies of the letters said to have been sent (evidence item 5) and confirms that notification to the tribunal of this service was sent by email on the same date (evidence item 6).
10. At page 49 of the bundle there is an email from Tori Chelton Brown timed at 15:43 on 26 January 2026. The email does not indicate the recipients, but the Applicant relies upon it as evidence that the relevant documents were issued to the leaseholders together with the accompanying letter.
11. Evidence item 6, at page 51, comprises an email to the tribunal confirming that the documents were sent on 26 January 2026. The method of service is described solely as email to all leaseholders. A further copy of this email appears at page 53, and it is materially identical to the email at page 49. However, it appears to have been sent to only four email addresses. The applicant relies on this email as evidence of compliance with the service requirements set out in the directions.
12. As explained in paragraph 7 above, the directions required the documents to be served on each Respondent *by hand delivery or first-class post and by email*. There is no evidence before the tribunal that the documents were sent by post or hand-delivered. Accordingly, I find that the Applicant has not complied with the service requirements. In addition, the email evidence at page 53 identifies only four recipients, whereas the property comprises five flats. The tribunal therefore cannot be satisfied that all Respondents were properly notified of the application or afforded an adequate opportunity to respond. For those reasons further directions in respect of service are necessary before the tribunal can be satisfied that the Respondents are aware of the application and have been given time to repond.
13. This order has been made in accordance with Rules 6(2), 6(3) and 8(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013. Any party affected by these directions who wishes to challenge them may do so by making an application to the tribunal.

Name: Judge Wendy Banks

Date: 27 February 2026