



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

- Case Reference** : HAV/29UP/LDC/2026/0045
HAV/29UP/LDC/2026/0046
- Property** : 1-6 Douces Manor, 60 St Leonards Street,
West Malling, Kent, ME19 6uB
7-24 Douces Manor, 60 St Leonards Street,
West Malling, Kent, ME19 6uB
- Applicant** : Douces Manor Property Holdings
- Respondents** : The leaseholders of flats 1-6, 7 – 24 Douces
Manor
- Type of Application** : To dispense with the requirement to
consult lessees about major works section
20ZA of the Landlord and Tenant Act 1985
- Tribunal** : Judge Dovar
- Date of Decision** : 1st June 2026

DECISION

1. These are two applications by the Applicant seeking dispensation in each under Section 20ZA of the Landlord and Tenant Act 1985 from the consultation requirements imposed on the landlord by Section 20 of the 1985 Act.
2. The Property is described as a:

Grade 2 listed building converted into 24 leasehold apartments across 2 blocks (The Manor & The Courtyard), with each block having a separate service charge. The building was originally built in 1776 and converted between 2005-2006.
3. The first application related to 1-6 Douces Manor, the second 7-24 Douces Manor, which are situated within The Courtyard.
4. The Applicant explains in relation to 1-6 Douces:

This property has been suffering from water ingress via the conservatory roof. Repairs are required to the lead ridge, replacement of two panes of glass, plus scaffolding for access. Scaffold was erected on 23rd January with the ridge stripped week commencing 26th January 2026. The works have been completed at a total cost of £7,341.60.
5. And in relation to 7-24 Douces:

A property within The Courtyard has been suffering from water ingress into the sunroom from the balcony above. While minor remedial works have been undertaken, these have failed to stop the water ingress, and it is necessary to replace the flat roof above. Works have been instructed to prevent further damage
Total cost of works £5,340 Section 20 threshold limit is £4500.
6. It is further said that

Delaying the roof replacement during consultation risks further internal damage to the property. As such, we instructed Design, Build and Maintenance, who provided the most competitive estimate, to complete the works without delay.
7. The only issue for the Tribunal is whether or not it is reasonable to dispense with the statutory consultation requirements. This application is not about the proposed costs of the works, and whether they are recoverable from the leaseholders as service charges or the possible application or effect of the Building Safety Act 2022. The leaseholders have the right to make a separate application to the Tribunal under section 27A of the Landlord and Tenant Act 1985 to determine the reasonableness of the costs, and the contribution payable through the service charges.

8. Directions were given on 8th April 2026. They notified the parties that the Tribunal intended to deal with these applications without a hearing unless any party objected; none have.
9. The directions also provided for the Applicant to confirm by 13th April 2026 that the applications had been sent to the Respondents. No such confirmation has been received, however, on 28th April 2026, Lizzie Walkenshaw ATPI of the Managing Agents, the Elm Group emailed the Tribunal to say that no objections had been received. The Tribunal has not received any objections either. Whilst no confirmation of service has been provided, the Tribunal infers from the email of 28th April 2026, that it had been served on each Respondent.
10. Given the lack of objection, and the grounds of the applications, I consider that it would not prejudice the Respondents for dispensation to be given. My one hesitation is in relation to service of the application and so full dispensation will be given subject to evidence being provided of service of both applications on the respective Respondents.

Appeals

A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application by email to rpsouthern@justice.gov.uk .

The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.

If the person wishing to appeal does not comply with the 28-day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28-day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.

The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.