

		FIRST-TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)	
Case Reference	:	MAN/36UD/LDC/2026/0008	
Property	:	Harrogate House, Parliament Street, Harrogate, HG1 2BU	
Applicant	:	Harrogate House (Maintenance) Limited	
Applicant's Representative	:	IPM Limited	
Respondents	:	The Residential Long Leaseholders – see Annex A	
Type of Application	:	Landlord & Tenant Act 1985 – s 20ZA	
Tribunal Members		Judge Richard Dobson Mason LLB Mr Simon Wanderer MRICS	
Type and Venue of the Hearing		Determined on the papers without a hearing	
Date of Decision	:	8 June 2026	

ORDER

- (1) The Tribunal strikes out the Applicant’s application for dispensation under s 20ZA Landlord and Tenant Act 1985 from the consultation requirements contained in s 20 thereof, in relation to fire maintenance works at the Properties.**

REASONS

1. The Application relates to 20 apartments at Harrogate House, Parliament Street, Harrogate, HG1 2BU (*“the Properties”*).
2. The Applicant is Harrogate House (Maintenance) Limited which brings the application (*“the Application”*). The Applicant is a Resident Management Company and represented by IPM Limited.
3. The Respondents are the leaseholders of the Properties.
4. On 16 September 2025, the Applicant made the Application under s 20ZA Landlord and Tenant Act 1985 (*“the Act”*) to dispense with the consultation requirements of s 20 of the Act, as set out in The Service Charges (Consultation Requirements) (England) Regulations 2003 (*“the Consultation Requirements”*).

5. The Application seeks retrospective dispensation in respect of fire maintenance works at the Properties (*“the Works”*).
6. Directions were made on 19 February 2026 (*“the Directions”*) requiring, *inter alia*, sequential filing and service of the parties’ statements of case and evidence in support, and any reply.
7. By email dated 12 March 2026, the Tribunal directed IPM Limited that the Applicant had not complied with the Directions and provided for a further 7 days for compliance, failing which the Application may be struck out.
8. By email dated 16 March 2026, IPM Limited filed an Order 1 Application Form seeking to amend the Application by removing the details set out at Section 5 regarding any recognised tenants’ association.
9. It also attached: -
 - a. A copy of an email from the Applicant to IPM Limited approving the Works and authorising representation.
 - b. A template letter dated 16 March 2026, stated to be issued “to all leaseholders in the morning at the latest”, enclosing: -
 - i. A quotation from Complete Fire Solutions Ltd dated 14 May 2025 (*“the Quote”*).
 - ii. A copy of the Application.
10. No reply to the Application was received by the Respondents.
11. The Application was determined on the papers on 8 June 2026. Rule 31 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 (*“the*

Rules”) permits a case to be dealt with in this manner provided that the parties consent to, or do not oppose it within the requisite timescale.

12. The Applicant, in the Application, requested a paper determination. Paragraph 7 of the Directions identified that there was to be no inspection of the Properties unless the Tribunal considers one is necessary at a later date.
13. The parties were notified, by paragraph 6 of the Directions, that they had 35 days from the date of the Directions to request an oral hearing. No objections / requests for an oral hearing were received from the parties within that timescale.
14. The Tribunal found that the Applicant had failed to comply with paragraph 3 of the Directions and the direction issued to IPM by email dated 12 March 2026.
15. In particular the Applicant failed to file, *inter alia*, a full statement of case and evidence addressing: -
 - a. The necessity and urgency of the Works.
 - b. The reasons for the failure or inability to comply with the Consultation Requirements.
 - c. The consequences upon the Respondents of any delay.
16. Rule 9(3)(a) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 sets out that the Tribunal may strike out the case or proceedings or part of them if: -

The applicant has failed to comply with a direction which stated that failure by the applicant to comply with the direction could lead to the striking out of the proceedings or case or that part of it.

17. In the absence of the statement of case and detailed reasons referred to above, the Tribunal could not consider the basis of the Application, which involves, *inter alia*, an analysis of the Works, the reasons for them being carried out and the Applicant's inability to consult / urgency of the Works, and any relevant prejudice caused to the Respondents.
18. The Tribunal considered that the Respondents would have been in a similar position, noting the absence of evidence that this information was provided to them, and the limited contents of the template letter dated 16 March 2026.
19. The Tribunal considered the overriding objective and parties' obligation to co-operate with the Tribunal pursuant to Rule 3 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013.
20. In particular, it noted the Applicant was professionally represented and has a duty to co-operate with the Tribunal and comply with its directions. Importantly, it considered that the Respondents could not participate fully in the Application in the absence of the receiving the abovementioned information.
21. Accordingly, the Tribunal determines that it is appropriate to strike out the Application.

Judge Richard M. Dobson-Mason

8 June 2026

Annex A

Mr M Wood

Mr M Richardson

Mr KJ & Mrs SEM McNerney

Mr D A Jones

G Swann, R Barrington-Hirst, M P Keane

Ms Diane Carr

Mr M Richardson

Ms C R Medina

Mr G P Adams

Mr & Mrs I J Thomason

Mr P G Kirtley

Mr William Francis Condon (deceased)

Ms Irene Morgan

Mr R F Walsh

Mr & Mrs G A Favell

Mr & Mrs D J Birtles

Jack Lunn (Properties) Ltd

Paul Thomas Hill & Jane Elizabeth Hill

Nicola Jane Shearer

Dorothy Wendy Storey