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**Residential
Property**
TRIBUNAL SERVICE

**RESIDENTIAL PROPERTY TRIBUNAL SERVICE
DIRECTIONS BY LEASEHOLD VALUATION TRIBUNAL for the
LONDON RENT ASSESSMENT PANEL**

LANDLORD AND TENANT ACT 1985 Sections 20ZA (as amended by
C&LRA 2002)

Ref :LON/OOAG/LDC/2007/0064

In the matter of 19 Compayne Gardens London NW6 3DG

Applicants London Properties Limited
 Represented by Ringley, Chartered Surveyors

Respondents All leaseholders in the building

Date of Application: 8th November 2007

Date of Determination: 22nd November 2007

Tribunal Members: Mr A A Dutton Chair
 Mr C Kane FRICS

Decision with Reasons

1. This application was made to the tribunal by Ringley Chartered Surveyors on behalf of the Applicant London Properties Limited for dispensation from the consultation requirements contained at section

20 the Landlord and Tenant Act 1985 as amended ("the Act"). The dispensation provisions are contained at section 20ZA of the Act. They state a tribunal may dispense with the consultation requirements "if satisfied that it is reasonable...".

2. The reasons for the application to dispense are set out in the Application before us. Messrs Ringleys were directed to ensure that all leaseholders were aware of the application and to seek confirmation from them that they consented to the dispensation sought. In the papers before us were e-mails from Mr Earl, Flat c, Miss Allen of flat E and Mr and Mrs Geismar of flat F. Notification had been sent to the owners of flat G, which appeared to be the flat to which the work was required to be done. Of those who responded all agreed that the matter should proceed.
3. The information in the application sets out the works to be done and the impact that the water ingress was having on flat E. It also contains details of the consultation that has taken place. No indication as to the cost is contained, other than that a reduced price has been obtained.

Decision

4. We find, following consideration of the papers before us and having regard to the impact on the living conditions of the lessee of the flat directly affected by the water ingress that it is reasonable for us to dispense with the consultation provisions under section 20 of the Act in this case. This does not prevent the leaseholders reviewing the final costs and the recoverability of same or the standard of works should the need arise.


.....
Andrew Dutton Chair

22nd November 2007