

10874



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

Case Reference : **LON/00BK/LDC/2015/0039**

Property : **30 Lanhill Road, Maida Vale,
London W9 2BS**

Applicant : **Quadron Investments Limited
(Landlord)**

Representative : **Salter Rex LLP, Managing Agents**

Respondents : **The long leaseholders of Flats 1 –
4, 30 Lanhill Road**

Representative : **No appearance**

Type of Application : **Section 20ZA Landlord and Tenant
Act 1985; Dispensation with
requirements of Section 20**

Tribunal Members : **Judge Lancelot Robson
Mr W. R. Shaw FRICS**

**Date and venue of
Determination** : **23rd April 2015
10 Alfred Place, London WC1E 7LR**

Date of Decision : **26th April 2015**

DECISION

Decision Summary

- (1) The Tribunal decided to make an order as requested for dispensation from the requirements of Section 20 of the Landlord and Tenant Act 1985, under Section 20ZA of the Act.
- (2) The Tribunal made the other decisions noted below.
- (3) For the avoidance of doubt, as stated in the Directions this application and decision does not concern the issue of whether any service costs will be reasonable or payable.

Preliminary

1. The Applicant by an application dated 19th March 2015, seeks dispensation from all/some of the consultation requirements imposed by Section 20ZA of the Landlord and Tenant Act 1985 relating to urgent electrical repairs.
2. Extracts from the relevant legislation are attached as Appendix 1 below.
3. Pursuant to Directions of the Tribunal made on 26th March 2015 a determination on the papers was fixed for the week commencing 20th April 2015, based on the urgency of the works and the apparent willingness of the Respondents to have the consultation requirements dispensed with. The Respondents were served with notice of the Application and the Directions by the Tribunal on 26th March 2015. The Directions requested that any Respondent who wished to oppose the application should indicate that by letter or email with a copy to the Tribunal by 10th April 2015. None did so.
4. The Applicant's main bundle of documents was received by the Tribunal on 16th April 2015. A specimen lease of Flat 3, dated 12th November 1982 was included.

Applicant's Case

5. The Applicant submitted that the property was a Victorian house on 3 floors and a basement converted into four flats. There were common parts on the three upper floors, and an entryphone system serving all flats. A report obtained from Maximum Electrical dated 23rd February 2015 disclosed that the distribution board was rotten and hanging off the wall as was the fire resistant backing, consumer unit and trunking. There were no earth readings on the light fittings, and the entryphone was wired without an earth connection. The fused spur for the heater needed an earth sleeve. The report included photographs to support these conclusions. The work was urgently necessary to protect the residents and the building from fire. Subsequently an estimate for £2,298 dated 13th March 2015 was received from Maximum Electrical to complete the work. A letter had been sent to each of the lessees

advising them of the urgent work required and that the Applicant intended to apply to the Tribunal to seek dispensation.

6. As noted above, the Respondents took no part at all in the application.

Decision

7. The Tribunal noted that essentially its function under Section 20ZA was to decide if the work was urgent, or if otherwise it was reasonable to grant dispensation from the full consultation requirements of Section 20. No Respondent opposed the application. The Application and the evidence had some shortcomings, but in the absence of any objection from the Respondents, the Tribunal decided to grant dispensation from the notice requirements in Section 20 on the grounds that the work to be done was urgently required.

Signed: Judge Lancelot Robson

Dated: 26th April 2015

Appendix 1

Landlord & Tenant Act 1985

Section 20ZA Consultation requirements: supplementary

(1) Where an application is made to a [leasehold valuation tribunal] for a determination to dispense with all or any of the consultation requirements in relation to qualifying works or qualifying long term agreement, the tribunal may make the determination if satisfied that it is reasonable to dispense with the requirements.