



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

Case Reference : **LON/00AW/LDC/2015/0084**

Property : **Various Flats, Walton House,
London SW3 2JH**

Applicant : **The Wellcome Trust Ltd**

Representative : **Knight Frank**

Respondents : **Miss R Thaker (GFF), Simon
Collard (GF), Laksham Menon &
Darren Richards (FFF), Ms J
Crawford (SFF), Ms S Shaker
(TFF), Walton Hospitality Ltd –
Toto's Restuarant**

Representative : **N/A**

Type of Application : **Section 20ZA**

Tribunal Members : **Judge Tagliavini**

Date and venue of PTR : **10 Alfred Place, London WC1E 7LR**

Date of Decision : **2 September 2015**

DECISION

1. The tribunal directs that the section 20 consultation requirements pursuant to The Landlord and Tenant Act 1985 are dispensed with in order to allow the landlord to carry out urgent works of repair and replacement to the hot water system to the subject premises.

Background

2. This is an application by the landlord dated 22 July 2015 seeking the tribunal's dispensation of the section 20-consultation procedures. The tribunal gave directions in this matter dated 29 July 2015 and directed that this matter be considered on the documents only unless any party requested an oral hearing.
3. No party has requested an oral hearing and therefore the tribunal determines this matter on the documents so far before it. The landlord has provided the tribunal with a bundle of documents dated 8 August 2015, which include details of the proposed works. The tribunal has received no objections from any of the lessees to this application and is satisfied that they have received notice of it.

Premises:

4. The premises comprise a building circa 1900 converted into 6 flats and one commercial (restaurant) unit spread over five floors including the lower ground floor.
5. In or about July 2015 the landlord became aware that the hot water boiler had failed leaving the premises and its occupants without a reliable supply of hot water. Having put this matter out for quotation the scope and costs of works became apparent. It was also apparent that the works were of an urgent nature and required immediate remedy.

Decision

6. The tribunal is satisfied from the information and supporting evidence provided by the landlord that the proposed works are both necessary and urgent. Further, the tribunal notes the lack of any objection by the tenants to the proposed works being carried out without the statutory consultation procedures being followed and a failure by any of the lessees to identify any prejudice that might be caused to them as a result.
7. The tribunal is satisfied therefore, that it is reasonable and appropriate to exercise its discretion to grant the landlord dispensation from the usual statutory consultation procedures. The landlord is therefore able to carry out the proposed works immediately and without prejudice to

its rights to seeks a recovery of funds in accordance with the terms of the leases in due course.

Signed: Judge Tagliavini

Dated: 2 September 2015