

12018



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

Case reference : **LON/00AW/LDC/2017/0003**

Property : **Buckingham Court, 48 Kensington Park, London W11 3BP**

Applicant : **Catchboard Limited**

Representative : **PBM Flats Management Ltd c/o Burlington Estates London Limited**

Respondent : **The 43 long lessees of Buckingham Court listed in the appendix to the application form**

Representative : **N/A**

Type of application : **To dispense with the requirement to consult lessees about major works/ a long-term agreement**

Tribunal members : **Judge Hargreaves
S.Coughlin
L.packer**

Date and venue of hearing : **20th February 2017 at 10 Alfred Place, London WC1E 7LR**

DECISION

The Tribunal directs that the Applicant has permission pursuant to s20ZA Landlord and Tenant Act 1985 to dispense with the full s20 consultation requirements relating to the need to replace the central boiler providing heating and hot water to the premises as particularised on page 8 of the s20ZA application form received on 6th January 2017, and as particularised below.

REASONS

1. The application form contains sufficient particulars of the breakdown of a boiler central to the heating and hot water system, including full reasons for the need to dispense with the consultation requirements of the relevant statute.
2. Directions were given by the Tribunal on 13th January 2017.
3. The Tribunal is satisfied, having read a letter dated 19th January 2017 from Burlington Estates, that the directions have been complied with. None of the Respondents object to the application.
4. It is clear from the documents produced by the Applicant to the Tribunal, that this application is well-founded. The Tribunal has considered a letter from Pavey Engineering dated 22nd December 2016 identifying the boiler problems and the need for a replacement, a report from Pavey Engineering dated 25th January (being a second updated version), copy section 20 notices dated 23rd December, further copy letters about the dispensation application dated 17th January. In addition the Tribunal has a copy of a quotation for a replacement boiler dated 21st December 2016 from Axon Services Limited in the sum of £16,500 plus VAT (which may or may not be the final or a reasonable figure, not a point decided in this application). Permission is given in relation to the works identified by Pavey. There is an evident need for speed and further delay is unnecessary.

Judge Hargreaves
S. Coughlin
L. Packer

20th February 2017