

13056



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

Case reference : **LON/00AE/LDC/2018/0153**

Property : **Quantic House, 135 Salusbury
Road, London NW6 6RJ**

Applicant : **House Owners Investments
(London) Ltd**

Representative : **Shoosmiths LLP**

Respondents : **Various**

Representative :

Type of application : **For the dispensation of the
consultation requirements**

Tribunal member(s) : **Judge S Brilliant
Mr A Lewicki FRICS**

**Date and venue of
hearing** : **05 November 2018 at 10 Alfred
Place, London WC1E 7LR**

Date of decision : **05 November 2018**

DECISION

Decisions of the Tribunal

The Tribunal determines that the applicant has permission to dispense with the consultation requirements in respect of qualifying works namely the purchase of a new CCTV system at a cost of £9,918.00 plus VAT (together with a warranty of £750.00 plus VAT if so required) ("the agreement") at apartments 1-2, 4-7, 9-12 Quantic House, 135 Salusbury Road, London NW6 6RJ ("the premises").

The application

1. The applicant seeks a determination pursuant to section 20ZA of the Landlord and Tenant Act 1985 to dispense with the consultation requirements in respect of the agreement.

Background

2. The premises consist of a purpose built block of twelve flats.
3. Although the application says it is for a dispensation concerning a qualifying long term agreement for out of hours' security, it seems to us that the agreement provided to us [pages 20-29 of the bundle] is for the one off purchase of equipment and therefore is better described as qualifying works. The statement in support of the application [page 1 of the bundle] says *The new agreement gave the Applicant the ability to buy security equipment rather than rent it, and proved more competitive on price on a long term basis. We treat the application as being amended accordingly.*
4. The lessees were notified of the application (albeit about a qualifying long term agreement for out of hours' security). The 3 lessees who replied to the letter all understood the application to be about new CCTV equipment, so there does not appear to be any misunderstanding as to the true nature of the application.

Decision

5. The cost of the equipment under the agreement is less than the previous cost of hiring it. We consider it appropriate to dispense with the consultation requirements in this case.
6. Nevertheless, in the usual way our decision does not relate to the quality of the work carried out or the reasonableness of the cost.

Name: Simon Brilliant

Date: 05 November 2018

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28 day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).