

12684



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

Case reference : **LON/00AP/LDC/2018/0044**

Property : **Video Court, 2 Mount View Road,
London N4 4SJ**

Applicant : **Video Court Freehold Company
Limited**

Representative : **Drivers & Norris**

Respondent : **Leaseholders as per the application**

Representative : **N/A**

Type of application : **To dispense with the requirement
to consult lessees about major
works: s20ZA LTA 1985**

Tribunal members : **Judge Hargreaves
Alison Flynn MA MRICS**

**Date and venue of
hearing** : **27th March 2018 at 10 Alfred Place,
London WC1E 7LR**

Date of order : **27th March 2018**

ORDER

The Tribunal directs as follows:-

The Applicant has dispensation pursuant to s20ZA LTA 1985 from carrying out the full statutory consultation requirements in relation to electrical works at the above premises identified in the application dated 21st February 2018 received on 23rd February 2018 and in (i) the MHL Consulting Engineers report referred to below and (ii) the Wattage Electrical quote referred to below.

REASONS

1. The Applicant seeks dispensation under section 20ZA of the Landlord and Tenant Act 1985 from the consultation requirements imposed on the landlord by section 20 of the 1985 Act¹.
2. The Tribunal issued directions dated 28th February 2018.
3. Page references refer to those in the bundle prepared by the Applicant.
4. The Applicant's case is outlined in full in the statement prepared by Kanwal Parveen of Drivers and Norris, managing agents of the block, dated 19th March 2018. See in particular paragraphs 5 (p2), pages 5-7. Section 20 notices were issued on 23rd February (p38, p44). The leaseholders of flats 3, 15, 17, have consented to the works going ahead. There have been no objections from other leaseholders.
5. Appendix 2 of the statement (p15) is a copy of the condition survey report prepared by MHL Consulting Engineers in relation to electrical services systems after an inspection in October 2017. It contains certain recommendations: see paragraph 9 at p26.
6. That prompted a specialist inspection by Wattage Electricals which identified certain more urgent works required and these are identified in an email dated 12th March (p35) and Kanwal Parveen's statement. This email contains a quote for required works exceeding £11,000.
7. The only issue for the Tribunal is whether or not it is reasonable to dispense with the statutory consultation requirements. This application does not concern the issue of whether any service charge costs will be reasonable or payable.
8. The Applicant has complied with the Tribunal's directions as to service on the leaseholders.
9. The Tribunal is satisfied that it is reasonable to grant dispensation from consultation. There is no evidence that dispensation will prejudice the leaseholders. There are no objections, and the application is supported by relevant and material evidence. In addition the current quotes do not exceed the £250 limit per leaseholder by much more than £50 per leaseholder, and time has already moved on since some of the problems were first identified in October 2017.

Judge Hargreaves

¹ See **Service Charges (Consultation Requirements) (England) Regulations 2003 (SI2003/1987)**

Alison Flynn MA MRICS 27th March 2018