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Residential  
Property  
TRIBUNAL SERVICE

**RESIDENTIAL PROPERTY TRIBUNAL SERVICE  
DETERMINATION BY LEASEHOLD VALUATION TRIBUNAL for the  
LONDON RENT ASSESSMENT PANEL**

**Landlord and Tenant Act 1985 s 20ZA**

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**LON/OOAN/LDC/2006/0057**

**Premises:** The Piper Building, Peterborough Rd, London SW6 3EF

**Applicants:** Douglas & Gordon

**Respondents:** All seventy two leaseholders in the building

**Tribunal:** Mrs B Hindley  
Mr J C Avery

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**Preliminary**

- A. On 4 August 2006 the Tribunal received an application for a dispensation of all or any of the consultation requirement contained in section 20 of the Landlord and Tenant Act 1985 (the Act) in respect of works to one of the lifts in the building.
- B. On 16 August 2006 the Tribunal issued directions that the applicant should send a copy of the application to each respondent lessee, and that any respondent who wished should send a submission to the Tribunal.
- C. On 8 September the applicant confirmed that the Directions were posted to all lessees on 22 August.
- D. Two submissions were received by the Tribunal. On 25 August Mr Bernard Kelly of No 72 Piper Building wrote asking for the application to be processed as quickly as possible. On 5 September Mr Richard Hale of No 8 Piper Building sent an e-mail challenging the liability of residents for repairs to the lifts on the grounds that they were never fit for purpose. Neither opposed the application to dispense with the consultation requirements of the Act.

## Determination

1. The purpose of an application under section 20ZA of the Act is simply to enable the landlord to avoid the statutory limitation on the recovery of service charge costs imposed if it has not complied with the consultation procedure in section 20. The application does not seek a determination on liability or the reasonableness of costs.
2. Mr Kelly's submission supports the application; Mr Hale's submission does not oppose it and the challenge he makes is not relevant to these proceedings. Either he or the applicant are still free to apply to the Tribunal under section 27A.
3. The lessees have been informed of the proposed work and have seen the application. On the evidence before them, and the submissions received, the Tribunal is satisfied that the work is urgent and accordingly grants dispensation from the consultation requirements of section 20 of the Act.

Chairman



Date 11 October 2006