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

**Case Reference** : **LON/00BA/LDC/2016/0071**

**Property** : **21 Dora Road, Wimbledon, Sw19  
7EZ**

**Applicant** : **Belgravia Homes Limited**

**Representative** : **Acorn Estate Management –  
managing agents**

**Respondents** : **Flat 1 Mr Andrew Curtis  
Flat 4 Mr Guus Bakker  
Flat B Mr Matthew Benjamin Hill  
Flat C Miss Christine Morgan**

**Representative** : **None**

**Type of Application** : **Section 20ZA Landlord and Tenant  
Act 1985 – dispensation with the  
need to comply with section 20 of  
the Act in relation to roof repairs  
proposed to be carried out**

**Tribunal Member** : **Judge John Hewitt  
Mr Stephen Mason BSc FRICS  
FCI Arb**

**Date and venue of  
Determination** : **22 August 2016  
10 Alfred Place, London WC1E 7LR**

**Date of Decision** : **22 August 2016**

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**DECISION**

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### **Decision of the tribunal**

1. The tribunal determines that the need for the applicant to consult with the respondents pursuant to section 20 of the Act in respect of repairs to the roof described in a 'Roof Inspection Report' dated June 2016 and issued by Professional Roofing & Guttering Service (a copy of which is appended to the application form) ('the Works') shall be dispensed with.
2. The reasons for our decision are set out below.

### **Procedural background**

3. On 15 July 2016 the tribunal received an application from the applicant landlord pursuant to section 20ZA of the Act. The application related to roof repairs (the Works) proposed to be carried out by the applicant at a cost estimated to be £2,500. The reason for the application was said to be: 'This will save a significant amount if we carry out works whilst scaffolding has been erected.' We infer from this that scaffolding has been erected for other purposes and that this can be used by the roofing contractor when carrying out the proposed Works.
4. We have been told that the property comprises four self-contained flats which have been sold off on long leases with each lessee obliged to contribute to the costs of repairs and maintenance. Those lessees are the four respondents. We have also been told that the respondents were informed of what the applicant proposed to do and were also informed of the intention to make this application.
5. Directions are dated 20 July 2016. The parties were informed of the intention of the tribunal to determine the application on the papers without an oral hearing. The parties were reminded of their right to request an oral hearing. The tribunal has not received any such request.
6. None of the respondents has informed the tribunal that they wish to oppose the application.

### **The law**

7. Section 20Za of the Act provides that a tribunal may make a determination that all or any of the consultation requirements imposed by section 20 of the Act shall be dispensed with if it is satisfied that it is reasonable to dispense with those requirements.

### **Reasons**

8. In the circumstances of this case we find that it is reasonable to dispense with all of the consultation requirements of section 20. The urgency to proceed on with the Works is driven by the economic use of scaffolding already erected and that makes sense to us and may be regarded as good estate management practice.
9. We are satisfied on the evidence before us that all the respondents have been kept informed of the need for the works and the carrying out of them. In conformity with directions the applicant was to notify the

respondents of these proceedings. By email dated 8 August 2016 the applicant's managing agent has confirmed to the tribunal that direction 4 has been complied with. On this evidence we are also satisfied that the respondents have been provided with the directions. None of the respondents have notified the tribunal that the application is opposed.

10. In these circumstances we have made a determination. We make it plain that in doing so we only determine that the applicant need not consult in relation to the Works. We make no determination on the reasonableness of the scope of the Works or the estimated cost of the Works. These are all matters which may be challenged by the respondents in due course and at the appropriate time, should they wish to do so.

Judge John Hewitt  
22 August 2016