



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

Case Reference : LON/00BC/LDC/2014/0095

Property : 1-36 Churchill Lodge, 50 Savill Row, Woodford Green, IG8 0UE.

Applicant : Savill Row (Woodford Green) Mngt Co Limited

Representative : Montalt Management

Respondent : Various Lessees

Representative : None known

Type of Application : Application for Dispensation under S.20ZA Landlord & Tenant Act 1985.

Tribunal Members : Miss. A. Hamilton-Farey LLB, FRICS, FCI Arb

Date of Decision : 9 September 2014.

DECISION

Decisions of the Tribunal

- (1) The Tribunal grants dispensation from the requirements to consult lessees in relation to the repairs to the roof of the premises as described in the Notice of Intention served on 25 July 2014.

Background and Reasons for the Decision:

- (2) The Tribunal received an application relating to urgent roof works at the premises on 1 August 2014. The Applicants' Representatives informed the Tribunal in that application that the roof required urgent replacement due to a large number of leaks, and that it had been agreed at a recent AGM that the works should be completed before the Winter before more damage could be sustained to the building.
- (3) Directions for this matter were issued on 4 August 2014 which required the leaseholders to respond to the Tribunal and Applicants to say whether or not they agreed with dispensation. It is understood that the building comprises 36 flats.
- (4) The Applicants representatives lodged a bundle of documents to be considered by the Tribunal and this included 20 affirmative replies from the leaseholders, all of whom were content for this matter to be dealt with, as Directed, on the papers. The agents informed the Tribunal that no further responses had been received and that several leaseholders were abroad at the time. It appears that none of the leaseholders who responded disagreed with dispensation being granted.
- (5) This Tribunal considers that dispensation should only be given in circumstances where it is impracticable to comply with the Regulations, or that an emergency situation can be demonstrated. In this instance, the applicants have demonstrated to my satisfaction that the repairs are urgent and should be attended to as soon as possible.
- (6) For the works to be carried out quickly it will be impractical for the landlord to carry our further consultation.
- (7) I also take into consideration in reaching my decision that this matter was discussed at the recent AGM, copies of the minutes of that meeting were supplied to me, and it does not appear that the matter is contested.
- (8) I therefore grant dispensation from the remaining requirements to consult under S.20 of the Landlord & Tenant Act 1985 (as amended).

Aileen Hamilton-Farey