



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

Case reference : **LON/00AW/LDC/2017/0137**

Property : **24 Wetherby Gardens, London
SW5 0JR**

Applicant : **Allenby House Management
Limited**

Representative : **Dexters London Limited**

Respondent : **The long leaseholders of 24
Wetherby Gardens**

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

Tribunal member : **Angus Andrew**

Date of directions : **18 January 2018**

DECISION

Decision

Pursuant to rules 9 (3) (a) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 the whole of these dispensation proceedings are struck out.

Reasons

1. The tribunal received an application to dispense with the requirement to consult lessees about major works on 28 November 2017. Directions were issued on 5 December 2018.
2. The directions required the applicant by 15 December 2017 to confirm that it had sent a copy of the tribunal's covering letter and the directions to each of the respondents. No such confirmation has been received.
3. The directions also required the applicant to send its document bundles to the tribunal by 5 January 2018 so that the application could be determined on the papers during the week commencing 22 January 2018.
4. The directions concluded with a warning that non-compliance could result in the striking out of the application in accordance with rule 9 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 ("the 2013 rules").
5. The applicant has since failed to engage with the tribunal and no bundles have been received. The respondent's position is unknown and there is insufficient evidence to enable a tribunal to determine the application. Consequently the only viable option is to strike out the proceedings under rule 9(3)(a) of the 2013 rules on the grounds that the applicant has failed to comply with the tribunal's directions.

Name: Angus Andrew

Date: 18 January 2018