



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

Case Reference : **LON/00BH/LDC/2019/0193**

Property : **93 Norman Road, Leytonstone,
London E11 4RJ**

Applicant : **Southern Land Securities Limited**

Representative : **Together Property Management
Limited**

Respondents : **(1) Mr. Lawrence Uchey Mbamarah
(2) Ms Khalda Mahmood**

Representative : **N/A**

Types of Application : **Section 20ZA - dispensation**

Tribunal Members : **Judge Tagliavini
Mr. T Sennett**

**Date and venue of
hearing** : **3 February 2020
10 Alfred Place, London WC1E 7LR**

Date of Decision : **3 February 2020**

DECISION

Decisions of the tribunal

- I. The tribunal grants the Applicant dispensation from the consultation requirements of section 20ZA Landlord and Tenant Act 1985 in respect of the works to remedy the water penetration from the rear flat roof as specified in the quotation of Darren Hall (Roofing).**
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The application

1. This is an application made under the provisions of s.20ZA of the Landlord and Tenant Act 1985 seeking the tribunal's dispensation of the consultation requirements under section 20 of that Act.

The premises

2. The premises comprise a terraced house converted into two flats set over two floors.

The hearing

3. As the parties did not request an oral hearing the tribunal determined this matter on the bundle of documents provided by the Applicant.

The Applicant's evidence

3. In its application the Applicant stated that works had been carried out to the rear flat roof of the property in order to address the ongoing water penetration that was causing damage to the flat. Consequently, a quotation had been obtained on 11 September 2019 from Darren Hall (Roofing), setting out the works required to remedy the water penetration in the sum of £1250. On 30 September 2019 the Applicant's agent (Together Property management) authorised the carrying out of these works as an alternative contractor requested to provide a quotation had failed to do so.
4. In letters dated 27 September 2019 from the landlord's agents, notification of these works was given to the Respondent tenants. By a letter dated 12 November 2019 from the tribunal the Respondents were notified of this application for dispensation.

The Respondent's evidence

5. Neither Respondent contacted the tribunal to register any opposition or agreement to this application.

The tribunal's decisions and reasons

6. The tribunal has considered the nature and extent of the works carried out and is satisfied from the Applicant's evidence, that these works were required as a matter of emergency. The tribunal is also satisfied that there has been no prejudice identified by the Respondents as having been caused to them by the lack of consultation usually required by the 1985 Act.
7. Therefore, the tribunal grants the application and dispenses with the consultation requirements for the works to the flat roof of the subject premises.

Signed: Judge Tagliavini

Dated: 3 February 2020

Rights of Appeal

1. If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber) then a written application for permission must be made to the First-tier Tribunal at the Regional office which has been dealing with this case.
2. The application for permission to appeal must arrive at the Regional office within 28 days after the Tribunal sends written reasons for the decision to the person making the application.
3. If the application is not made within the 28 day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the Tribunal will then look at each reason(s) and decide whether to allow the application for permission to appeal to proceed despite not being within the time limit.
4. The application for permission to appeal must identify the decision of the Tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

