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

**Case reference** : **LON/00AG/LDC /2015/0058**

**Property** : **18 Bartholomew Villas London  
NW5 2LL**

**Applicant** : **Miss Victoria Keri-Nagy**

**Representative** : **Salter Rex**

**Respondent  
leaseholder** : **Ms Carolyn Paulette Porretta**

**Type of application** : **To dispense with the consultation  
requirements under S.20 Landlord  
and Tenant Act 1985**

**Tribunal member(s)** : **Mrs E Flint DMS FRICS**

**Date of decision** : **9 June 2015**

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**DECISION**

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### **Decision of the tribunal**

1. The Tribunal grants dispensation from all of the consultation requirements under S.20 of the Landlord and Tenant Act 1985 in relation to renewal of the front and right hand side roof slopes of the main roof.

### **Reasons for the Decision**

2. The Tribunal determines from the evidence before it that the works to the roofs are necessary and that cost savings will be achieved if the works are undertaken while scaffolding is in situ in connection with other works of repair and external decoration.
3. The lessee of the ground floor flat does not object to the application for dispensation. The other two flats in the building are owned by the applicant.

### **The Background**

4. The application under section 20ZA of the Landlord and Tenant Act 1985 ("the Act") was made by the agents on behalf of the applicant on 8 May 2015.
5. The application concerns replacement of the front and right hand side slopes of the main roof which has been subject to many patch repairs over the years. The roof was inspected once scaffolding had been erected to allow an overhaul of the roof together with repairs and decorations to the building. It was apparent that the original slates are brittle, many of the slates have slipped due to nail failure; the flashings require replacement and it was concluded that the roof is at the end of its service life.
6. A quote has been obtained from the contractor working on site of £13,435 plus VAT and surveyors fees. However having deducted the contingency sum in the original quote the additional amount for the roof renewal works was reduced to £9,556.97 plus VAT and surveyors fees. The applicant states that the statutory process would take too long as scaffolding is on site, utilising the scaffolding will save costs.
7. Directions were issued on 12 May 2015 requiring the Applicant to advise the tenants of the application by 18 May 2015 and display a copy of the application form and the directions in the common parts of the property.

8. The tenants who opposed the application were required to advise the tribunal and the landlord by 27 May and the landlord was to prepare a bundle for the Tribunal and any party opposing the application by 2 June 2015.
9. The Respondent, the lessee of the ground floor flat, wrote to Salter Rex on 26 May stating that she did not oppose the application. She did however question the reasonableness of the charges.
10. On the evidence before it, and in these circumstances, the Tribunal considers that it is entitled to determine that the Respondent does not oppose the application for dispensation and that it should be granted. For the avoidance of doubt the question of reasonableness of the works or cost was not included in this application, the sole purpose of which is to seek dispensation.

**Name:** Evelyn Flint

**Date:** 9 June 2015