

10697



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

**Case Reference** : **LON/00BK/LDC/2015/0024**

**Property** : **Stuart Tower, 105 Maida Vale,  
London W9 1UB.**

**Applicant** : **Stuart Tower Limited**

**Representative** : **North Star Property Managing  
Limited**

**Respondent** : **Leaseholders as per the application**

**Representative** : **In person**

**Type of Application** : **For dispensation from the  
consultation requirements under  
S.20 Landlord & Tenant Act 1985.**

**Tribunal Members** : **Ms. A. Hamilton-Farey**

**Date of Decision** : **17 March 2015.**

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**DECISION**

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**Decisions of the Tribunal**

The Tribunal grants dispensation from the remaining requirements to consult under S.20 of the Landlord & Tenant Act 1985.

**Background**

1. This is an application under section 20ZA of the Landlord & Tenant Act 1985 on behalf of the landlord for dispensation from the remaining requirements to consult in relation to lift repair works. The applicants say that the cold water booster pumps that provide the water supply to the flats from the mains are in need of replacement. It is understood that one pump has failed with two remaining. The applicants say that if either of the remaining two pumps should fail, there would be severe disruption to the water supply for the residents.
2. The applicants say the matter is urgent and replacement works are urgently required.
3. Directions were issued by the tribunal on 12 February 2015. These gave any leaseholder who opposed the application an opportunity to provide a statement of case and reasons for their opposition. None of the leaseholders opposed the application, and the tribunal received 15 responses out of the 193 flats affected by the application. The tribunal is therefore entitled to conclude from this, that those leaseholders who did not respond support the application.
4. Those Directions also informed the leaseholders that the application did not concern whether or not the costs for the works would be reasonable or that the works themselves would be reasonable. Dispensation is therefore a limited application.

**Reasons:**

5. The tribunal is satisfied from the documentation before it, that this matter requires urgent resolution and that it is not practical for the landlords to complete the S.20 consultation process. None of the leaseholders have opposed the application, and they are the persons most affected by the situation.
6. In the circumstances, the tribunal considers that dispensation should be granted.

Aileen Hamilton-Farey  
17 March 2015.