



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

Case Reference : **LON/00AY/LDC/2019/0204**

Property : **Pinewood Court, Clarence Avenue,
London SW4 8LB**

Applicant : **Pinewood Court Management Ltd**

Representative : **Moss & Co**

Respondents : **Various leaseholders**

Representative : **N/A**

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

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

**Date and venue of
hearing** : **31 January 2020
10 Alfred Place, London WC1E 7LR**

Date of Decision : **31 January 2020**

DECISION

Decisions of the tribunal

- I. The tribunal refuses the Applicant dispensation from the consultation requirements of section 20ZA Landlord and Tenant Act 1985 in respect of the roof works to the two blocks at the subject property as set out in the letter dated 14 August 2019 from Advanced Roofing London.**
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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 purpose built 1960's block in 2 units.

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

4. In its application and accompanying emailed statement dated 29 January 2020 the Applicant stated that works had been carried out to the roof of each unit, as a pre-emptive measure in order to avoid any potential water penetration to the units, as identified in the Planned Maintenance Inspection and Report from Ash Chartered Building Surveyors dated May 2019.
5. The tribunal was informed that the works identified in the letter dated 14 August 2019 from Advanced Roofing London have been carried out in the sum of £6,700.

The Respondent's evidence

6. No Respondent contacted the tribunal to register any opposition or agreement to this application.

The tribunal's decisions and reasons

7. The tribunal is satisfied that the Respondent lessees have been notified of this application and have had an opportunity to respond and make known any objections they may have to this application.

8. The tribunal has considered the nature and extent of the works carried out and is not satisfied from the Applicant's evidence, that these works were required as a matter of emergency. The tribunal finds that there were no reported complaints of water penetration through the roof and that these works were not urgent and were speculative in nature.
9. Therefore, the tribunal refuses to grant the dispensation sought by the Applicant for the roof works to the two units at the subject property address despite the lack of any objection having been received from the Respondent lessees.

Signed: Judge Tagliavini

Dated: 31 January 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.