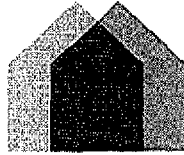


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Residential
Property
TRIBUNAL SERVICE

**RESIDENTIAL PROPERTY TRIBUNAL SERVICE
DECISION BY LEASEHOLD VALUATION TRIBUNAL**

**Section 20 ZA Landlord & Tenant Act 1985
(as amended by the Commonhold and Leasehold Reform Act 2002)**

LON/00AU/LDC/2006/0020

Premises: 57-59 St Johns Square, London EC1V 4JF
Applicant: St Johns Square Residents Association Ltd
Represented by: Rendalls & Rittner
Respondents: The Lessees
Tribunal: Mr J C Avery
Miss J Dowell
Mr D Wilson

Decision on the Application

The Tribunal determines that the consultation requirements in relation to the roof works referred to in the application be dispensed with.

Reasons for decision

1. On 5 March 2006 the Applicant Residents Association had applied for dispensation of the consultation requirements contained in section 20 of the Landlord and Tenant Act 1985 in respect of works to the roof of the premises. Water was entering two flats and in one of them the ceiling was becoming deformed. Two quotations had been obtained and a meeting of the Directors and an AGM had agreed that the work was urgent.
2. On 23 March the Tribunal wrote to each of the 17 Respondent lessees enclosing copies of directions which, inter alia, invited them to make, on or before 14 April 2006, representations in relation to the application and the Applicant's statement of case. No representations were received.

3. The Tribunal had seen a copy of the lease of Flat 14, 90-94 Clerkenwell Road, which was said to be one of the flats in the premises. The lease requires the landlord to carry out structural repairs and recover the cost through the service charge.
4. Section 20 ZA provides that the Tribunal may make a determination if satisfied that it is reasonable to do so. In this case the Tribunal has taken into account the following matters:
 - The application, made by a Residents' Association, has effectively been made by the lessees themselves
 - The proposal has been considered and approved at a formal meeting
 - A surveyor's report has been received and two quotations obtained
 - Damage is already being caused to the interior of two flats and one could become dangerous
 - No objection has been received from any lessee.
5. A determination by the Tribunal does not preclude any lessee from applying to the Tribunal for a determination as to his/her liability or as to whether the works were reasonably incurred or to a reasonable standard
6. The Tribunal has determined that it is reasonable to make the determination requested.

Chairman



J C Avery B Sc FRICS Date

24 April 2006