

RESIDENTIAL PROPERTY TRIBUNAL SERVICE
SOUTHERN RENT ASSESSMENT PANEL
LEASEHOLD VALUATION TRIBUNAL



CASE No: CHI/00ML/LDC/2008/0017

BETWEEN :-

Mr I Carter

Applicant

And

Miss Z Delgado
Mr S Cooper

Respondents

PREMISES: 98 Portland Road
Hove
East Sussex
BN3 5DN

TRIBUNAL: Mr H D Lederman
Mr N I Robinson FRICS

HEARING: 12th June 2008

DECISION

1. The Tribunal decides it is reasonable to dispense with the following requirements in Section 20 of the Landlord & Tenant Act 1985 ("the 1985 Act") and in schedule 4 to the Service Charges (consultation etc) regulations 2003, ("the 2003 Regulations")
 - a) articles 8 (2) (c), 8 (2) (d) and 8 (3). (invitation to tenants to make written observations in relation to proposed works); and
 - b) article 10 (duty to have regard to tenants observations); and
 - c) article 11 (estimates and response to observations); and
 - d) article 12 (duty to have regard to observations in relation to estimates); and

e) article 13 (1) (b) (receipt of observations from tenants, summary of observations and response to observations)

in respect of the following categories of works at 98 Portland Road, Hove, BN3 5DN ("the property").

- (i) stripping out existing felt and lead from main gully (parapet gutter) on northern elevation of the property and consequential roof tile lifting and replacement.
 - (ii) Strip off existing felt and lead on eastern cheek of dormer on northern elevation and apply new covering.
2. The Tribunal is not satisfied it is reasonable to dispense with any of the requirements of the 2003 Regulations or Section 20ZA of the 1985 Act in respect of the following categories of works at the property;
- (i) strip off existing felt and lead on western cheek of dormer on northern elevation and apply new lead sheet; and
 - (ii) strip off existing felt and apply new 3 layer felt on dormer roof.
3. The Tribunal is not satisfied that the cost of proposed internal works to the ceiling of the lounge on first floor of the northern elevation at the property including stripping lining paper on ceiling, renew plasterboard, finish plaster (skim coat plaster) are "relevant costs" within the meaning of sections 18 and 20 of the Landlord and Tenant Act 1985 (as amended).
4. If the cost of the internal works amount to "relevant costs" the Tribunal is not satisfied it is reasonable to dispense with any of the requirements of the 2003 regulations in respect of the internal works.

Signed : Mr H D Lederman
Chairman

Dated: 12th June 2008