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**DECISION OF THE LEASEHOLD VALUATION TRIBUNAL ON AN APPLICATION
UNDER SECTION 20ZA OF THE LANDLORD AND TENANT ACT 1985**

Case Reference: LON/00AN/LDC/2012/0069

Premises: 14 Woodstock Grove, Shepherds Bush, London
W12 8LE

Applicant(s): Southern Land Securities Ltd

Representative: Hamilton King Management Ltd

Respondent(s): (1) Mr K Symmons (basement flat)
(2) Mr N Griffiths & Ms M Williams (ground
floor flat)
(3) Ms R Husari (first floor flat)

Representative: N/A

Date of hearing: N/A

**Appearance for
Applicant(s):** N/A

**Appearance for
Respondent(s):** N/A

**Leasehold Valuation
Tribunal:** Ms L Smith (Lawyer chair)
Mr P Roberts, DipArch, RIBA

Date of decision: 23 July 2012

Decisions of the Tribunal

In accordance with the provisions of s20ZA of The Landlord and Tenant Act 1985 ("LTA 1985"), the Tribunal dispenses with the formal consultation requirements of s20 LTA 1985.

The application

1. The Applicant seeks a dispensation from the consultation requirements of s20 LTA 1985 in relation to works to the roof of a property at 14 Woodstock Road, London W12 8LE ("the Property"). The Applicant is the Lessor of the Property. The Respondents are the Lessees of the Property.
2. The Applicant indicated in the application that it was content for the case to be dealt with on the papers. Directions were given on 22 June 2012 inviting the Respondents to indicate within 14 days of the directions if they required an oral hearing. A response was received from Mr Griffiths, one of the Lessees of the ground floor flat but he did not request a hearing. There was no response from the other Lessees. Accordingly, the Tribunal determined the application on the papers without a hearing. Neither party requested an inspection and the Tribunal did not consider that one was necessary.

The background

3. The Property is described in the application as a 1900s brick built terraced house converted into 3 flats over 3 levels.
4. The works in relation to which dispensation is sought are repairs to the roof of the Property ("the Works"). Water ingress to the first floor flat was first noted on 12 April 2012 and then again on 24 April 2012.
5. On 21 May 2012, the Applicant sent to the Respondents a notice under s20 notifying its intention to carry out the Works. The relevant period under that notice expired on 22 June 2012. It does not appear that any objections or observations were made by the Respondents. Accordingly, on 25 June 2012, the Applicant gave the Respondents notice that it intended to enter into a contract with Aldenham Roofing who had submitted the lower of 2 quotations for the Works in the sum of £3972 to which the Applicant proposes to add an administration fee of 10% and VAT thereon. The Tribunal notes in this regard that this quotation was originally in the sum of £2972 and appears to have been amended in manuscript at some time between the date of the quotation (10 June) and the issuing of the Applicant's notice on 25 June 2012. However, since the Tribunal is not asked to adjudicate on the reasonableness of the sums which will later be claimed for the Works, it does not make any decision on that issue. The relevant period under the notice of 25 June 2012 expires on 27 July 2012.

The issues

6. The Applicant seeks a dispensation from the consultation requirements of s20 in relation to the Works on the basis that water is entering the first floor of the Property and the matter is therefore urgent.

7. Whilst noting that the relevant period under the notice of 25 June appears to expire in any event on 27 July, the Tribunal accepts that it is reasonable to dispense with the formal consultation requirements so far as it is necessary to do so in order that the Works can start as soon as possible. No objection was received to the application. Mr Griffiths (one of the Lessees of the ground floor flat) consented to the dispensation. No response was received from the other Lessees. Accordingly, the Tribunal grants the dispensation as requested.
8. For the avoidance of doubt, the only issue for the Tribunal to determine on this occasion is whether it is reasonable to grant the dispensation sought in relation to consultation. This determination does not prevent any later application in relation to the Respondents' liability to pay for the Works under the Lease nor in relation to the reasonableness of the costs of the Works.

Chairman:



Ms L Smith

Date:

23 July 2012