

10738



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

**Case reference** : **LON/00AZ/LDC /2015/0038**

**Property** : **13 Charleville Circus London SE26  
6NR**

**Applicant** : **Southern Land Securities Limited**

**Representative** : **Hamilton King Management  
Limited**

**Respondent** : **Various Leaseholders**

**Representative** : **-**

**Type of application** : **To dispense with consultation  
requirements under S.20 Landlord  
and Tenant Act 1985**

**Tribunal member(s)** : **Mrs E Flint DMS FRICS**

**Date of decision** : **14 April 2015**

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**DECISION**

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### **Decisions of the tribunal**

- (1) The tribunal grants dispensation from all of the consultation requirements under S.20 of the Landlord and Tenant Act 1985 in relation to the works to the joists between the bathroom floor of Flat C and the communal hallway below.
- (2) The lessees were informed in the Directions issued by the Tribunal that the question of reasonableness of the works or cost was not included in this application, the sole purpose of which is to seek dispensation.

### **Reasons for the Decision**

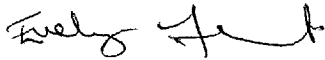
- (3) The Tribunal determines from the evidence before it that the works to the joists are urgent and necessary.

### **The Background**

1. The application under section 20ZA of the Landlord and Tenant Act 1985 ("the Act") was made by the managing agents on behalf of the Applicants on 21 March 2015.
2. The application concerns dispensation in relation to the joists between the bathroom floor of flat C and the communal areas below which have deteriorated to such an extent that they are not sufficiently strong to support the sanitary ware in the bathroom and need to be replaced. Consequently the occupiers of flat C have no bathroom facilities and have had to move out of the flat
3. Section 20 Notices were served on 21 March 2015 in respect of the joists between the bathroom floor of Flat C and the communal areas below. An estimate of the cost of the works at £1,500.00 was included with the Notice.
4. Directions in respect of the application were issued on 27 March 2015 and requested that any Respondent who opposed the application should notify the tribunal no later than 6 April 2015.
5. No responses were received from any leaseholders either supporting or opposing the application for dispensation.
6. The Tribunal is satisfied that the Respondents do not oppose the application, that they have been given sufficient time to make their views known: and no evidence has been provided to demonstrate that

these works were not urgent or that full consultation should be undertaken.

7. On the evidence before it, and in these circumstances, the Tribunal considers that it is entitled to determine that the Respondents did not oppose the application for dispensation



**Name:** Evelyn Flint

**Date:** 14 April 2015