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

Case Reference : **LON/00AM/LDC/2016/0062**

Property : **235 Amhurst Road, London N16
7UN**

Applicant : **Keady Properties Limited**

Representative : **Goldspring Management**

Respondent : **Woodgate (E1) Limited**

Representative : **Forbes Hall LLP Solicitors**

**Date of Receipt of
Application** : **24th June 2016**

Date of Directions : **28th June 2016**

Tribunal Members : **Judge Shaw
Mr N Martindale FRICS**

Date of Determination : **27th July 2016**

Date of Decision : **27th July 2016**

Introduction

- (1) This case involves an Application received on 24th June 2016, and made pursuant to the provisions of section 20ZA of the Landlord and Tenant Act 1985 (“the Act”). The Application is made by Keady Properties Limited (“the Applicant”) in respect of the property situate and known as 235 Amhurst Road, London N16 7UN (“the Property”). The property

comprises shop accommodation on the ground floor, a basement below and two residential flats above. The Respondent is Woodgate (E1) Limited (“the Respondent”) which company is the leasehold owners of the shop. The Application is for an Order from the Tribunal made pursuant to the above statutory provisions, for a determination dispensing with all or any of the consultation requirements in relation to certain qualifying electrical works proposed in relation to the property. The Application, although initially opposed by the Respondent, is now no longer, opposed but the Applicant has requested that a formal dispensation be made.

- (2) Directions were given swiftly after the issuing of the Application by the Tribunal on 28th June 2016. Part of those Directions required the Applicant to prepare a bundle of documents, and send copies to the Tribunal, and one to the Respondent. There has been no request for an oral hearing and therefore this application is proceeding as a Paper Determination.
- (3) Given that the application for dispensation is no longer opposed, it is not necessary to go into the facts in any detail. Suffice it to say that certain electrical works are asserted to be required by the Applicant at the Property, in the absence of which there is fire and health risk. A contribution has been required of the Respondent by the Applicant. The works are set out in the quotation of Seblee Home and Office Ltd dated 1st July 2015., as further expanded in the letter of 12th November 2015.
- (4) As indicated, although initially opposed, the Tribunal has been sent a recent exchange of e-mail correspondence between the Applicant and solicitors acting for the Respondent, which appears to indicate that the application for dispensation is no longer opposed, and it is possible that quantum, although not part of this application, may also have been agreed, or be close to agreement.

- (5) Whatever the position, the Tribunal is satisfied that these works in general, which have now been outstanding for some time, no longer require the consultation process to proceed, and accordingly the Tribunal makes the Order requested, dispensing with the statutory consultation requirements.

Decision

- (6) For the reasons indicated above, the Tribunal is satisfied that this work is sufficiently urgent to justify dispensation being granted pursuant to the Act and to enable these works to continue. It should be stressed and understood that the Tribunal is making no finding in the context of this dispensation order as to the reasonableness of these works either generally or specifically in relation to their cost. It is an order given exclusively in respect of the consultation requirements, and it is entirely open to the Respondent to revert to the Tribunal for a further determination, if so required, as to reasonableness and payability pursuant to the provisions of section 27A.

Conclusion

- (7) For the reasons indicated above, the Tribunal grants the Application made in this case, and dispenses with the consultation requirements of section 20 of the Landlord and Tenant Act 1985 insofar as they relate to the works referred to in this Application, and identified in the Estimate of Seblee Home and Office Limited dated 1st July 2015. As already indicated above, such dispensation does not in any way preclude any further application under section 27A on the part of the Respondent, if so advised.

JUDGE SHAW

27th July 2016