



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

Case Reference : LON/00AW/LDC/2015/0117

Property : St. Albans Mansions, Kensington Court Place, London W8 5QH.

Applicant : St. Albans Mansions RTM Co. Ltd.

Representative : Blenheims Estate and Asset Management.

Respondent : Various leaseholders as per the application.

Representative : In person

Type of Application : For dispensation from the consultation requirements under S.20 Landlord & Tenant Act 1985.

Tribunal Members : Ms. A. Hamilton-Farey

Date of Decision : 20 January 2016.

DECISION

Decisions of the Tribunal

1. The tribunal exercises its discretion, and grants dispensation from the requirements to consult under S.20 of the Landlord & Tenant Act 1985.

Background

1. This is an application under section 20ZA of the Landlord & Tenant Act 1985 (the Act) on behalf of the Landlord for dispensation from the requirements to consult under S.20 of the Act and in relation to the replacement of the control panel to the lift in the building. The applicants say that they have served the Notice of Intention on the respondents, but that there is a three week wait for parts which have been ordered. The lift is currently out of action, causing inconvenience to residents. The applicants considered that the application for dispensation should be dealt with urgently.
2. The tribunal issued directions in this matter on 13 November that required any respondent who opposed the application to make their views known and that the tribunal would determine this matter during the week commencing 18 January. The tribunal also informed the parties that they could request an oral hearing. No request was received.
3. The tribunal has not received any responses from the respondents indicating that they oppose the application. The tribunal is therefore entitled therefore to determine that the respondents support the application.
4. In the circumstances the tribunal considers that this matter is urgent and requires remedial works to be undertaken as soon as practically possible, and that in order to do so, it would not be feasible for the applicants to comply with the remaining requirements to consult under S.20 of the Act.
5. The tribunal therefore considers that it is reasonable for dispensation from those remaining requirements to be granted to the applicants in relation to this qualifying work.

Tribunal: Aileen Hamilton-Farey

Date: 20 January 2016.

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28 day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.