



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

**Case Reference** : CHI/00HN/LDC/2019/0063

**Property** : Cranleigh Court, 149A Cranleigh Road,  
Bournemouth, Dorset BH6 5JZ

**Applicant** : Retirement Lease Housing Association

**Representative** : ---

**Respondents** : The Lessees

**Representative** : ---

**Type of Application** : To dispense with the requirement to  
consult lessees about major works

**Tribunal Member(s)** : Judge P J Barber

**Date and Venue of  
Hearing** : Determination on Papers

**Date of Decision** : 12 September 2019

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DECISION

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## **The Application**

1. The Applicant seeks dispensation under Section 20ZA of the Landlord and Tenant Act 1985 from the consultation requirements imposed on the landlord by Section 20 of the 1985 Act.
2. The Applicant explained that the warden call system requires replacement as the existing system has broken and is beyond repair.
3. The Application for dispensation was received on 12 August 2019.
4. On 14 August 2019 the Tribunal directed the Respondents to provide a response to the Application by 27 August 2019 by completing a form indicating whether they agreed or disagreed with the application and whether they were content for the case to be heard on the papers.
5. The Applicant served the Tribunal with a hearing bundle of documents on 6 September 2019.

## **Determination**

6. The Tribunal is satisfied from the application and the documents that the works to the warden call system are urgent and necessary. The Tribunal received responses from none of the leaseholders in regard to the Application.
7. **The Tribunal, therefore, dispenses with the consultation requirements in respect of the proposed works to the warden call system.**
8. The Tribunal's decision is confined to the dispensation from the consultation requirements in respect of the qualifying works. The Tribunal has made no determination on whether the costs of those works are reasonable or payable. If a leaseholder wishes to challenge the reasonableness of those costs, then a separate application under section 27A of the Landlord and Tenant Act 1985 would have to be made.
9. The Tribunal asks the Applicant to inform the leaseholders of this decision by way of noticeboard or other forms of communication.

Judge P J Barber  
12 September 2019

## **RIGHTS OF APPEAL**

1. A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application to the First-tier Tribunal at the Regional office which has been dealing with the case.
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
3. If the person wishing to appeal does not comply with the 28 day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28 day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.
4. The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.