



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

<b>Case Reference</b>	:	LON/00AM/LDC/2019/0118
<b>Property</b>	:	Sheldon House, 1 Baltic Place, London, N1 5AQ
<b>Applicant</b>	:	Long Term Reversions (Torquay) Limited
<b>Representative</b>	:	Parkfords Management Limited
<b>Respondents</b>	:	The 18 lessees who are listed in the application
<b>Type of Application</b>	:	Dispensation with Consultation Requirements under section 20ZA Landlord and Tenant Act 1985.
<b>Tribunal Members</b>	:	Judge Robert Latham Sue Coughlin MCIEH
<b>Date and venue of Hearing</b>	:	2 September 2019 at 10 Alfred Place, London WC1E 7LR
<b>Date of Decision</b>	:	2 September 2019

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**DECISION**

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The Tribunal grants this application to dispense unconditionally with the consultation requirements imposed by section 20 of the Landlord and Tenant Act 1985.

## Reasons

1. By an application made on 29 July 2019, the Applicant seeks dispensation with the consultation requirements imposed by section 20 of the Landlord and Tenant Act 1985 (“the Act”) in respect of the works described below. The Applicant stated that it was content for the application to be dealt with on the papers. No Respondent has requested an oral hearing.
2. Sheldon House is a purpose-built block of 18 residential apartments and 8 commercial units. The lift has broken down and requires reinstatement. Emerald Elevators have provided an estimate in the sum of £3,243 + VAT. Scaffold is required as the lift has broken down on the top floor. The contractor will remove the safety gear and carry out a full investigation of the fault. Additional works may be found to be required.
3. On 2 April, the Tribunal issued Directions. On 9 August, the Applicant sent a copy of the application form and the Directions to all the leaseholders. Any leaseholder who opposed the application was directed to complete a Reply Form which was attached to the Directions and return it to the tribunal. No leaseholder has opposed the application.
4. Section 20ZA (1) of the Act provides:

“Where an application is made to the appropriate tribunal for a determination to dispense with all or any of the consultation requirements in relation to any qualifying works or qualifying long term agreement, the tribunal may make the determination if satisfied that it is reasonable to dispense with the requirements.”
5. The only issue which this Tribunal has been required to determine is whether or not it is reasonable to dispense with the statutory consultation requirements. **This application does not concern the issue of whether any service charge costs will be reasonable or payable.**
6. The Tribunal is satisfied that it is reasonable to grant dispensation from the subsequent stages of the consultation requirements. This is justified by the urgent need for the works to reinstate the lift. There is no suggestion that any prejudice has arisen. In the circumstances, it is appropriate to grant dispensation without any conditions.

**Judge Robert Latham,  
2 September 2019**

## **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.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).