



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

Case reference : **LON/00AK/LDC/2020/0198**

HMCTS code (paper) : **P: PAPERREMOTE**

Property : **Palazzo House, 43 Beech Hill, Barnet Herts EN4 0JW**

Applicant : **Palazzo House Limited**

Representative : **Stuart Burchall AIRPM, senior property manager of Aldermartin Baines & Cuthbert**

Respondent : **Six leaseholders as listed in the schedule attached to the application**

Representative : **N/A**

Type of application : **Section 20ZA – dispensation from consultation**

Tribunal members : **Judge Tagliavini
Mr M Cairns MCIEH**

Venue : **10 Alfred Place, London WC1E 7LR
P: Paper Remote**

Date of decision : **6 January 2021**

DECISION

Covid-19 pandemic: description of hearing

This has been a remote paper hearing which has been consented to by the parties. The form of remote hearing was **P: PAPERREMOTE**. A face-to-face hearing was not held because it was not practicable and all issues could be determined in a remote hearing. The documents that the tribunal was referred to are in a bundle numbered 1 to 73 pages from the applicant the contents of which the tribunal has noted. The order made is described at the end of these reasons.

The tribunal's summary decision

- (1) The tribunal grants the dispensation from consultation sought by the applicant under section 20ZA of the Landlord and Tenant Act 1985 in respect of the proposed roof works to the subject premises situate at Palazzo House, 43 Beech Hill, Barnet Herts EN4 0JW.
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The application

1. This is an application made under the provisions of section 20ZA of the Landlord and Tenant Act 1985 seeking the tribunal's dispensation from consultation in respect of proposed works to the front and rear roof terraces for Flat 6 at the subject premises situate at Palazzo House, 43 Beech Hill, Barnet Herts EN4 0JW ('the premises').

The background

2. The premises comprise a purpose built block of six flats. Due to water ingress through the front and rear roof terraces of Flat 6 into Flat 4 urgent works of repair are now said to be required.

The applicants' case

3. In support of the application the applicant provided the tribunal with a bundle of documents number 1 to 73. In addition, by an email to the tribunal dated 24 November 2020, Mr Burchall confirmed that he had complied with the tribunal's directions dated 10 November 2020 in respect of notifying the lessees of this application.
4. The tribunal was also provided with a copy of the preliminary section 20 notice sent to the lessees dated 27 October 2020 notifying them of the intention to carry out works to the roof of the premises (external front and rear high level roof terrace works above Flat 4).
5. A specification of the recommended works prepared by CJAP Builders dated 20 October 2020 was provided to the tribunal together with the estimated cost of the works quoted as £11,000 plus VAT. An estimate from MA Premier Prop6. Property Services Ltd dated 15 October

2020 stated that the cost of the works would be in the region of £12,980.00 plus VAT.

The respondent's case

6. No communications in respect of or objecting to the application were received from the respondents by the tribunal.

The tribunal's decision and reasons

7. The tribunal is satisfied that the lessees have been made aware of this application and the need for works of repair to the roof of the premises. In the absence of any objection to this application and the need to carry out roof works as a matter of urgency, the tribunal determines that it is reasonable and appropriate to grant the dispensation from consultation sought by the applicant.

Name: Judge Tagliavini

Date: 6 January 2021

Rights of appeal from the decision of the tribunal

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).