

SOUTHERN RENT ASSESSMENT PANEL AND TRIBUNAL
LEASEHOLD VALUATION TRIBUNAL

**IN THE MATTER OF S20ZA OF THE LANDLORD AND TENANT ACT 1985
AND IN THE MATTER OF 1ST AND 2ND FLOORS TUDOR LODGE, 99-103
HIGH STREET, GODALMING, SURREY**

Case No: CHI/43UL/LUC/2006/0019

BETWEEN:

ROLF WERNER MATTES Applicants
DAVID HILARY MATTES

AND

J SOUTER Respondents
V L VANDERVORD
L ARMLEY
Z C J VAZQUEZ

TRIBUNAL: MR D AGNEW LLB, LLM (Chairman)
 MR M HORTON FRICS

DATE: 24 October 2006

ORDER AND REASONS

ORDER:

The application to dispense with the consultation requirements of Section 20 of the Landlord and Tenant Act 1985 ("the Act") in respect of repairs to the roof of 1st and 2nd floor, Tudor Lodge, 99-103 High Street, Godalming, Surrey ("the Premises") is hereby granted.

REASONS:

1. An application under Section 20ZA of the Act was submitted by the Landlords' managing agent dated 6 September 2006. This asked for an order dispensing with the need to observe the consultation requirements of Section 20 of the Act in respect of certain roof repairs which were needed to be carried out urgently at the Premises.
2. The Landlords' surveyor had identified a number of slipped roof tiles. Due to the location of the Premises on the High Street in Godalming this caused a potential hazard to pedestrians and the building's insurers insisted that the repair work be carried out immediately otherwise insurance cover would be withdrawn.
3. Two competitive estimates were obtained: one for £6263 plus VAT and the other for £5300 which was accepted.
4. The four leaseholders all signified their consent to the Application.
5. The Tribunal accepted that in the circumstances the Landlords had no option but to carry out the work on an emergency basis without first having obtained the Tribunal's dispensation in respect of the Section 20 consultation requirements and so grants that dispensation retrospectively.

Dated this 30th October 2006

Signed

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D Agnew LLB LLM
Chairman