



Leasehold 5

Apply to dispense with consultation requirements

Landlords can apply to dispense with the requirement to consult tenants set out in Section 20 of the Landlord and Tenant Act 1985 by making an application under Section 20ZA of the Act.

Before you apply

You will need a copy of a sample lease.

You must complete all sections and provide all documentation requested otherwise the tribunal cannot progress your application.

If you are unable to do so you must explain why at the end of this form and the tribunal will decide whether or not the application can proceed.

If you have any questions

If you have any questions about this application contact the relevant regional tribunal office in **Annex 2**.

The tribunal cannot give legal advice on your case.

Serving the application

You must send a copy of the application to the respondent and any interested party by email or post.

Other notes

Write clearly if you are completing this form by hand.

Use another sheet of paper if there is not enough space for you to say everything.

Add your name at the top of any additional pages.

Section 1 – Applicant’s information

1.1 Details of applicant

First name

Housing 21

Last name

Capacity

Landlord

Company name (optional)

Housing 21

Note for Section 1

In cases with more than one applicant, attach a separate document containing the names, addresses and emails (if known) of all the applicants. Also, include a document, signed in pen by each applicant or an email from each applicant wanting to be part of the application.

Note for Capacity

Capacity could be landlord or managing agent

1.2 Address

First line of address

Tricorn House

Second line of address

Hagley Road

Town or city

Birmingham

County (optional)

Postcode

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1.3 Reference number for correspondence (optional)

1.4 Contact details

Phone number

Mobile number

07860338154

Email address

paul.hutton@housing21.org.uk

1.5 Details of applicant's representative (if any)

First name

Paul

Last name

Hutton

Company name

Housing 21

Note 1.5

A representative is someone you want to represent you in dealing with the tribunal.

If you appoint a representative, the tribunal office will only correspond with your representative.

1.6 Address

First line of address

Tricorn House

Second line of address

Hagley Rd

Town or city

Birmingham

County (optional)

Postcode

B

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1.7 DX number for correspondence (optional)

Note 1.7

Not all regional tribunal offices use the DX service.

See Annex 2 for offices that have DX numbers.

1.8 Reference number for correspondence (optional)

1.9 Contact details

Phone number

Mobile number

07860338154

Email address

paul.hutton@housing21.org.uk

Section 2 – Property information

2.1 Is the address of the subject property the same as the applicant's address?

☐ Yes

☒ No. **Provide the address below.**

Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

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2.2 Reference number for correspondence (optional)

2.3 Brief description of the property

Various Housing 21 schemes in England where residents contribute through service charges and/or utility charges to communal and, in some cases, domestic gas and electricity supplies under the proposed agreement

Note for Section 2

The subject property address could be the same as the applicant's address (for example, the property or properties involved in the application or dispute).

Note 2.3

Add a short description of the property, for example:

- is the property a block of flats
- how many flats are in the block
- a description of the property or properties (for example 1 or 2 bedroom)
- an estimate of the age of the property

Section 3 – Respondent’s information

3.1 Details of respondent

First name

See attached

Last name

Capacity

Company name (optional)

3.2 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

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3.3 Reference number for correspondence (optional)

3.4 Contact details

Phone number

Mobile number

Email address

Note for Section 3

Anyone that pays a service charge should be added as a respondent to this application.

In cases with more than one respondent, attach a separate document containing the names, addresses and emails (if known) of all the respondents.

Note for Capacity

Capacity could be leaseholder or landlord.

3.5 Details of respondent's representative (if any)

First name

Last name

Company name

3.6 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

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3.7 DX number for correspondence (optional)

3.8 Reference number for correspondence (optional)

3.9 Contact details

Phone number

Mobile number

Email address

Note 3.7

Not all regional tribunal offices use the DX service. See Annex 2 for offices that have DX numbers.

Section 4 – Landlord’s information

4.1 Is the landlord the same as the applicant?

☒

Yes

☐

No. **Provide the details.**

4.2 Details of landlord

First name

Last name

Company name (optional)

4.3 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

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4.4 Reference number for correspondence (optional)

4.5 Contact details

Phone number

Mobile number

Email address

4.6 Details of landlord's representative

First name

Last name

Company name

4.7 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

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4.8 DX number for correspondence (optional)

4.9 Reference number for correspondence (optional)

4.10 Contact details

Phone number

Mobile number

Email address

Note 4.8

Not all regional tribunal offices use the DX service. See Annex 2 for offices that have DX numbers.

Section 5 – Any recognised tenants’ association (if known)

5.1 Name of secretary

First name

Last name

5.2 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

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5.3 Reference number for correspondence (optional)

5.4 Contact details

Phone number

Mobile number

Email address

Section 6 – Details of dispensation

Note for Section 6

Applicants may seek a dispensation for all or any of the consultation requirements about qualifying works or long-term agreements.

6.1 Does the application concern qualifying works?

☐ Yes. **Go to question 6.2.**

☒ No

6.2 Have the works started or been carried out?

☐ Yes

☐ No

6.3 Does the application concern a qualifying long-term agreement?

☒ Yes. **Go to question 6.4.**

☐ No

6.4 Has the agreement already been entered into?

☐ Yes

☒ No

6.5 Use this page to give information about each of the qualifying works or qualifying long-term agreements. Use one sheet for each.

Describe the qualifying works or qualifying long-term agreement concerned. State when the works were carried out or planned to be carried out or in the case of a long-term agreement, the date that agreement was entered into or the proposed date it is to be entered into.

See Annex 1

Note 6.5

Give a brief outline of your case so that the tribunal understands what your application is about.

Indicate if any of the provisions of Sections 116 to 122 and Schedule 8 of the Building Safety Act 2022 are relevant to this application.

The tribunal may ask for further details or documents to support your case.

If you need to include more information, use a separate document or use **Annex 1**.

Describe the consultation that has been carried out or is proposed to be carried out.

See Annex 1

Explain why you seek dispensation for all or any of the consultation requirements

See Annex 1

Section 7 – Other applications

7.1 Do you know of any other cases involving:

- ☐ related or similar issues about the management of this property
- ☐ the same landlord or tenant as in this application

Details

Section 8 – Hearing

Determine without a hearing (a paper determination)

It is possible for your application to be dealt with only on written representations and documents without anyone needing to attend in person. This is called a paper determination.

8.1 Do you think a paper determination is right for your case?

- ☒ Yes
- ☐ No

Urgency of application

8.2 Is your case urgent?

- ☒ No
- ☐ Yes. **Explain why it is urgent.**

Note 8.1

Even if you have asked for a paper determination the tribunal may decide that a hearing is necessary.

You'll need to pay an additional fee of £227 if a hearing date is set.

Note 8.2

Cases are dealt with as either fast or standard track, the tribunal will decide which:

Fast track - this is for simple cases that will not create a lot of paperwork or argument. Fast track cases are usually heard within 10 weeks of application.

Standard track - this is for more complicated cases with numerous issues to be decided, or where there is lots of paperwork involved. Standard track cases are usually heard within 20 weeks of application.

Availability

8.3 Are there any days when you or any expert or witness you are using cannot attend?

☐ Yes. Please list them in the box below.

☒ No

Dates on which you or they **will not be** available in the next 4 months

Support during your hearing

8.4 Do you, or anyone attending with you, need any adjustments?

☐ Yes. Please list them in the box below.

☒ No

Note 8.4

Some people need support to access information and use our services, for example:

- documents in alternative formats, colours and fonts
- help with communication, sight, hearing, speaking, interpretation or translation
- access and mobility support if a hearing takes place in person

This form gets copied to other parties, so use a separate document if you do not want to disclose anything.

Section 9 – Statement of truth

I **believe** that the facts stated in this form and any continuation pages are true.

Signature



Date

Day Month Year

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Full name

PAUL HUTTON

Section 10 – Additional information

If you have not completed all sections of this form please tell us in the box below which sections have not been completed and why.

Application fee

What you need to pay

The application fee is **£114**

How to pay the fee

☐ **I have not included payment because**

- ☐ I have applied for help with fees online and my reference number is

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- ☐ I am applying for help with fees, see attached form EX160 'Apply for help with fees'

- ☐ Other – please explain why

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☒ **I want to pay by online banking**

Email me details on how to pay. My email address is

paul.hutton@housing21.org.uk

- ☐ I enclose a cheque or postal order made payable to HMCTS

☐ **Fee account details – for use by legal professionals**

Your account number

P	B	A						
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Your reference (if applicable)

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Note for application fee

You'll need to pay an additional fee of £227 when the hearing date is set.

You may be able to get help paying fees if you only have a small amount in savings, receive certain benefits or are on a low income.

See www.gov.uk/get-help-with-court-fees for more information.

Note for online banking

The tribunal will send you a reference number so you can make a payment online.

Checklist

- ☒ I enclose the contact details for tenants that pay a service charge
- ☒ I have completed the application fee section

List of documents that need to be included with the application:

- ☒ a copy of a sample lease

Unless you complete all sections and provide all documentation, the tribunal **cannot** progress your application.

Contact details

Email your application to the relevant regional tribunal office address shown in the Annex 2 to this form.

If you cannot email you can send the application by post.

Annex 1

Use this page to give information about each of the qualifying works or qualifying long-term agreements. Use one sheet for each.

Describe the qualifying works or qualifying long-term agreement concerned. State when the works were carried out or planned to be carried out or in the case of a long-term agreement, the date that agreement was entered into or the proposed date it is to be entered into

Proposed qualifying long-term agreement for the supply of gas and electricity to communal areas across Housing 21's housing stock and, in some cases, to domestic supplies where residents cannot contract directly because of the nature of the relevant system.

Proposed term: approximately 3 years. Proposed contract commencement: as soon as reasonably practicable following procurement and the Tribunal's determination.

Please see the attached Grounds for Seeking Dispensation, witness statements of Amarjit Chand and Richard Lawton, and the sample

Describe the consultation that has been carried out or is proposed to be carried out

Please see the attached Grounds for Seeking Dispensation and the witness statement of Amarjit Chand. In summary, Housing 21 has undertaken substantial resident engagement including resident letters, a question-and-answer sheet, scheme-level coffee mornings and discussions, a resident-facing video, manager briefings, service charge network engagement, and multiple routes for resident feedback including via local managers, email and post. A summary of resident feedback is also included in the application bundle.

Explain why you seek dispensation of all or any for the consultation requirements

Please see the attached Grounds for Seeking Dispensation and the witness statements of Amarjit Chand and Richard Lawton. In summary, Housing 21 seeks dispensation because the proposed long-term flexible energy procurement model operates in a volatile market in which final prices are fixed during the contract term and cannot sensibly be stated in advance or held open for a statutory consultation period. Housing 21 says that the statutory timetable is therefore poorly suited to this market and that dispensation would not cause relevant prejudice to residents.

Note for Annex 1

Give a brief outline of your case so that the tribunal understands what your application is about.

Indicate if any of the provisions of Sections 116 to 122 and Schedule 8 of the Building Safety Act 2022 are relevant to this application.

The tribunal may ask for further details or documents to support your case.

Annex 2

List of addresses of tribunal regional offices

Northern region

Address:

HM Courts and Tribunals Service
First-tier Tribunal (Property Chamber)
Residential Property
1st Floor, Piccadilly Exchange
Piccadilly Plaza
Manchester
M1 4AH

Telephone: 01612 379491

Fax: 01264 785 128

Email address: RPNorthern@justice.gov.uk

This office covers the following metropolitan

districts: Barnsley, Bolton, Bradford, Bury, Calderdale, Doncaster, Gateshead, Kirklees, Knowsley, Leeds, Liverpool, Manchester, Newcastle-upon-Tyne, Oldham, Rochdale, Rotherham, St. Helens, Salford, Sefton, Sheffield, Stockport, Sunderland, Tameside, Trafford, Tyneside (North and South), Wakefield, Wigan and Wirral.

It also covers the following unitary authorities:

Hartlepool, Middlesbrough, Redcar and Cleveland, Darlington, Halton, Blackburn with Darwen, Blackpool, Kingston-upon-Hull, East Riding of Yorkshire, Northeast Lincolnshire, North Lincolnshire, Stockton-on-Tees, Warrington and York.

It also covers the following Counties:

Cumbria, Durham, East Cheshire, Lancashire, Lincolnshire, Northumberland, North Yorkshire and West Cheshire.

Midland region

Address:

HM Courts and Tribunals Service
First-tier Tribunal (Property Chamber)
Residential Property
Centre City Tower
5-7 Hill Street
Birmingham
B5 4UU

For use by legal professionals:

DX 360601 Birmingham 5

Telephone: 0121 600 7888

Fax: 01264 785 122

Email address: RPMidland@justice.gov.uk

This office covers the following metropolitan

districts: Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton.

It also covers the following unitary authorities:

Derby, Leicester, Rutland, Nottingham, Herefordshire, Telford and Wrekin and Stoke-on-Trent.

It also covers the following Counties:

Derbyshire, Leicestershire, Nottinghamshire, Shropshire, Staffordshire, Warwickshire and Worcestershire.

Eastern region

Address:

HM Courts and Tribunals Service
First-tier Tribunal (Property Chamber)
Residential Property
Cambridge County Court
197 East Road
Cambridge CB1 1BA

For use by legal professionals:

DX 97650 Cambridge 3

Telephone: 01223 841 524

Fax: 01264 785 129

Email address: RPEastern@justice.gov.uk

This office covers the following metropolitan

districts: Bracknell Forest, West Berkshire, Reading, Slough, Windsor and Maidenhead, Wokingham, Luton, Peterborough, Milton Keynes, Southend-on-Sea and Thurrock.

It also covers the following Counties:

Bedfordshire, Berkshire, Buckinghamshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, Northamptonshire, Oxfordshire and Suffolk.

Southern region

Address:

HM Courts and Tribunals Service
First-tier Tribunal (Property Chamber)
Residential Property
Havant Justice Centre
The Court House
Elmleigh Road
Havant
Hants PO9 2AL

Telephone: 01243 779 394

Fax: 0870 7395 900

Email address: RPSouthern@justice.gov.uk

This office covers the following unitary authorities:

Bath and Northeast Somerset, Bristol, North Somerset, South Gloucestershire, Bournemouth, Plymouth, Torbay, Poole, Swindon, Medway, Brighton and Hove, Portsmouth, Southampton and the Isle of Wight.

It also covers the following Counties:

Cornwall and the Isles of Scilly, Devon, Dorset, East Sussex, Gloucestershire, Hampshire, Kent, Somerset, Surrey, West Sussex and Wiltshire

London region

Address:

HM Courts and Tribunals Service
First-tier Tribunal (Property Chamber)
Residential Property
10 Alfred Place
London WC1E 7LR

For use by legal professionals:

DX 134205 Tottenham Court Road 2

Telephone: 020 7446 7700

Fax: 01264 785 060

Email address: London.RAP@justice.gov.uk

This office covers all the London boroughs.

For information on how HM Courts and Tribunals Service process and store your data visit:

www.gov.uk/hmcts/privacy-policy

