



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

Case Reference : **LON/00BE/MNR/2022/0034**

Property : **216 Bellenden Road, Peckham,
London, SE15 4BY**

Tenant : **Ms Rayisa Butt**

Representative : **Mr Khalid Butt**

Landlord : **Mr Andrew Webb and Ms Deborah
Crisp**

Representative : **Dean Wilson LLP**

Type of Application : **Determination under Housing Act
1988, section 14**

Tribunal Members : **Tribunal Judge H. Carr
Mrs A Flynn MA MRICS**

Date of Determination : **19th April 2022**

DETERMINATION

The determination

1. The market rent determined by the tribunal is £1,600 per calendar month. The effective date is 1st April 2022.

The application

2. On 22nd February 2022, the landlord by their representatives, Dean Wilson LLP served a notice under Housing Act 1988, section 13(2) proposing a new rent from 1st April 2022 of £1,600 per month, in place of the existing rent of £1,100 per month. On 22nd March 2022, the tenant applied to the First Tier Tribunal (Property) for determination under Housing Act 1988 section 14.
3. The tribunal made its decision on 19th April 2022.

The property

4. The property is a three-bedroom terraced house in a mainly residential road, It is in close proximity to Peckham Rye British Rail Station.

The law

5. Under the Housing Act 1988, section 14, the Tribunal must determine the rent that would be obtained in respect of the same property on a new letting on the open market by a willing landlord under an assured tenancy, on otherwise similar terms (other than rent) to the existing tenancy. The rent so determined must, however, disregard the effect on the rent of the granting of the tenancy to a sitting tenant; any increase in the value of the property as a result of improvements carried out by the tenant during the tenancy (or a previous tenancy), otherwise than as a result of his or her obligations to the landlord under the lease; or any reduction attributable to a failure to comply with such an obligation. The rent does not include a service charge but does include sums payable for furniture or council tax.

Determination

6. The Tribunal first assessed the market price that would be achieved for a new letting, in a condition that would be expected of the property if it were to be marketed now.
7. The Tribunal considered that the realistic range of comparable properties, as let, was from £1500 to £2500 per month.
8. At the date of the notice no hardship was claimed by the applicant. Therefore, the rent of £1,600 per month is confirmed as a rent at which the property might reasonably be let.

Name: Judge H Carr

Date: 19th April 2022

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).