



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

**Case Reference** : **CHI/24UL/MNR/2022/0052**

**Property** : **47 Pavilion Road, Aldershot, Hampshire  
GU11 3NX**

**Applicant** : **Mr B Dougherty  
(Tenant)**

**Respondent** : **Long Term Reversions (PRS1) (Landlord)**

**Date of Application** : **Received 10<sup>th</sup> May 2022**

**Type of Application** : **Sections 13 and 14 of the Housing Act 1988**

**Tribunal** : **Mr R T Brown FRICS Chairman  
Mr D Banfield FRICS  
Ms A Clist MRICS**

**Date** : **1<sup>st</sup> August 2022**

---

**REASONS FOR DECISION**

---

© CROWN COPYRIGHT 2022

### ***Background***

1. The Tribunal gave formal notice of its decision by a Notice dated 1<sup>st</sup> August 2022 will be **£170.00 per week (pw) (£736.67 pcm)** with effect from 27<sup>th</sup> June 2022.
2. By an application received on the 10<sup>th</sup> May 2022, the Tenants of the above property referred a notice of increase in rent served by the landlord under section 13 of the Housing Act 1988 to the Tribunal.
3. The landlord's notice dated the 4<sup>th</sup> May 2022 proposed a rent of **£173.00 pw** (£750.00 pcm) with effect from 27<sup>th</sup> June 2022, in place of the current rent of £149.00 pw (£645.00 pcm).
4. The tenancy is an assured shorthold tenancy. No tenancy agreement has been provided nor any date on which it commenced. The tenancy is subject to the Landlord's repairing obligations defined in Section 11 the Landlord and Tenant Act 1985.

### ***Property and Inspection***

5. Following the Directions dated 27<sup>th</sup> June 2022 and the explanation contained therein, the Tribunal did not inspect the premises.
6. Extracting such information as it could from the papers supplied to the Tribunal by the parties, by reference to information publicly available on the internet and with the benefit of its knowledge and experience the Tribunal reached **the following conclusions and found as follows:**
7. The property is located in a mainly residential area to the west of Aldershot town centre.
8. The property comprises a terrace house with electric heating and 2 double glazed windows (out of total of 8).
9. The accommodation comprises: 2 Living Rooms, kitchen, bathroom, 2 bedrooms. Outside: Front and rear gardens.
10. The property is let unfurnished.
11. The Tribunal assumed that all mains services are connected.

### ***Documents supplied to and considered by the Tribunal***

12. Tribunal Directions dated 27<sup>th</sup> June 2022.
13. Landlord: No submissions.
14. Tenant: Application and Reply Forms. Notice of Increase.

### ***Landlord's Representations (summarised):***

15. The Landlord made no submissions.

***Tenant's Representations (summarised)***

16. The Tenant says in the Application and Reply Forms:

- a) Repairs carried out by the Landlord circa 2020 included: New back door, double glazed windows in rear bedroom and bathroom.
- b) Disrepair includes: Front steps, path and wall. Plaster repairs needed in back bedroom and bathroom

17. No submissions are made as to rental value.

***The Tribunal's Deliberations***

18. The Tribunal found as a matter of fact that the notice was a Notice under section 13 as prescribed by Statute.

19. The Tribunal is required to determine the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under an Assured Tenancy. The personal circumstances of the Tenant or Landlord are not relevant to this issue.

20. The Tribunal checked the National Energy Performance Register and noted that the subject property has a certificate registering the property at E expiring on 2<sup>nd</sup> May 2028. The legal minimum standard for letting a property is rating E.

21. Based on the knowledge of its members the Tribunal finds that the market for this type of property is very sensitive to condition and inventory.

22. The Tribunal, acting as an expert tribunal, determined what rent the landlord could reasonably be expected to obtain for the subject property in the open market if it were let today in the condition and subject to the terms of such a tenancy that is considered usual for such an open market letting. It did this by having regard to the evidence supplied by the parties and the Tribunal's own general knowledge of market rent levels. Having done so, it concluded that such a likely market rent for a similar modernised property in fair condition with modern central heating, modern bathroom and kitchen facilities, floor coverings, cooker, washing machine and an EPC Rating of E or above would be **£270.00 per week** (£1,170.00 pcm).

23. The Tribunal, after careful consideration of the current market conditions and the apparent condition (as submitted by the parties) of the subject property determined to make deductions in respect of the disrepair issues identified:

- a) General disrepair and lack of modernisation: £60.00 pw (£260.00 pcm).
- b) Lack of floor coverings and white goods: £40.00 pw (£173.33 pcm).

Total deduction **£100.00 pw** (£433.33 pcm).

24. Accordingly, the Tribunal determined that the market rent for the subject property is **£170.00 pw** (£736.67 pcm).
25. The rent will take effect from 27<sup>th</sup> June 2022 being the date specified by the landlord in the notice of increase.

***Relevant Law***

26. Sections 13 and 14 of the Housing Act 1988.
27. Assured Tenancies and Agricultural Occupancies (Forms) (England) Regulations 2015 (SI 2015 No.620)

**RIGHTS OF APPEAL**

1. A person wishing to appeal this decision (on a point of law only) to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application to the First-tier Tribunal at the Regional office which has been dealing with the case. Where possible you should send your application for permission to appeal by email to [rpsouthern@justice.gov.uk](mailto:rpsouthern@justice.gov.uk) as this will enable the First-tier Tribunal Regional office to deal with it more efficiently.
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
3. If the person wishing to appeal does not comply with the 28 day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28 day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.
4. The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.