



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

Case Reference : **CAM/38UC/ MNR/2022 0039**

Property : **Room GF, 29 Church Hill Road,
Oxford, OX4 3SG**

Applicant : **Kane C. Hands (Tenant)**

Representative : **None**

Respondent : **Warren Allen (Landlord)**

Representative : **None**

Type of Application : **Section 13(4) Housing Act 1988**

Tribunal Members : **Mr N Martindale FRICS**

**Date and venue of
Hearing** : **Cambridge County Court, 197 East
Road, Cambridge CB1 1BA**

Date of Decision : **18 July 2022**

REASONS FOR DECISION

Background

- 1 The First Tier Tribunal received an application dated 20 April 2022 from the tenant of the Property, regarding a notice of increase of rent served by the landlord, under S.13 of the Housing Act 1988 (the Act).
- 2 The notice, dated 22 March 2022, proposed a new rent of £715 per calendar month, with effect from and including 2 May 2022. The passing rent was £675 per calendar month with effect from 2 November 2018.

- 3 The Tribunal received brief written representations from each party. A copy of the existing assured shorthold tenancy and of the notice of rent increase, were included. There was no hearing.

Tenants' Representations

- 4 The tenant and landlord both set out the accommodation at the Property, briefly: A double room on the first floor with double bed, wardrobe and broken chest of drawers; with ensuite, in a former 1930's storey detached house: 6 letting rooms in all and shared lounge, kitchen, 2 bathrooms and a separate WC. There was limited off road parking no on road parking restrictions. The house fronts a cul-de-sac in an established residential area of Oxford.
- 5 The tenant made no representations.

Landlord's Representations

- 6 The landlord set out the accommodation briefly as had the tenant. The Property had full central heating and double glazing. The landlord provided carpets and curtains and white goods to the shared kitchen.
- 7 The landlord showed that the rent increase was only for estimated increases in various of the services included. There was no increase to the base rent. The landlord nevertheless included evidence of other room lettings within the house to two others.

Inspection

- 8 Owing to the ongoing Coronavirus Pandemic across England the Tribunal does not currently carry out either internal or external inspections.

Law

- 9 Under S.14 of the Act the Tribunal determines the rent at which it considers the property might reasonably be expected to let in the open market, by a willing landlord, under an assured tenancy, on the same terms as the actual tenancy; ignoring any increase in value attributable to tenant's improvements and any decrease in value due to the tenant's failure to comply with any terms of the tenancy. The property falls to be valued as it stands; but assuming that the property to be in a reasonable internal decorative condition.

Decision

- 10 The passing rent was £675 pcm set some years ago. The proposed increase of £40 pcm to £715 pcm represented about 6% increase in well over a year. This increase for estimated rises in the cost of services

provided within the rent to the Property did not appear excessive to the Tribunal.

- 11 Based on the Tribunal's own general knowledge of market rent levels in and around Oxford, the Tribunal determines that the subject property would let on normal Assured Shorthold Tenancy (AST) terms, for £715 per calendar month, fully fitted and in good order. In doing so the Tribunal takes account of the rise in market rents, of power consumed the cost of which is included in the rent and its rising cost since the passing rent was set.
- 12 The Market rent with effect from and including 2 May 2022 is determined at £715 pcm.

Name: Neil Martindale Date: 18 July 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).