



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

Case reference : **MAN/30UE/MNR/2022/0032**

Property : **Flat 3, 363 Clifton Drive North, Lytham
St Annes, FY8 2PA**

Applicant : **James and Jacqueline Love**

Representative :

Respondent : **Newbury Properties**

Representative :

Type of application : **Decision in relation to section 13 of the
Housing Act 1988**

**Tribunal
member(s)** : **Judge J O White
Valuer S Latham**

Venue : **(p): Paper determination
Property Chamber, Northern
Residential Property first-tier Tribunal,
1st floor, Piccadilly Exchange, 2
Piccadilly Plaza, Manchester, M1 4AH**

Date of decision : **6 July 2022**

DECISION

Decision:

The proposed rent increase has been withdrawn. The rent remains at £550 per week until such time as the tenancy ended.

Reasons:

1. The tribunal received an application under section 13 of the Housing Act 1988 (“the Act”). It was accompanied by a Notice dated 9 December 2021 proposing a rent increase from £550 to £800 per week from 19 January 2022. The applicant has had an assured tenancy of (“the Property”) since 19 December 2014.
2. The parties were informed that the tribunal would carry out an inspection and make a paper determination on 7 July 2022. The landlord informed the tribunal service that the tenant had vacated the property and the tenancy had come to an end. It was no longer necessary to continue with the application. The tribunal service emailed the tenant and received no reply.
3. In accordance with s14 (8) of the Act, as the tenancy has come to an end and the landlord is not pursuing the increase in rent, the tribunal is no longer required to continue with a determination of a market rent.
4. As a consequence, the rent remains £550 for the remaining period of the tenancy.
5. As this decision has been made without a hearing, or other opportunity to make representations, it remains an interim decision for 14 days. If no representations are made within that time the decision will become final.

Name: Judge White

Date: 6 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).