



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

Case reference : **CAM/00MD/MNR/2023/0019**

HMCTS code : **P:PAPERREMOTE**

Property : **619 Bath Road, Slough, SL1 6AE**

Applicant (Tenant) : **David Porter and Samantha Porter**

Respondent (Landlord) : **Rosnan Rosli and Azlin Halimi**

Type of application : **Determination of a Market Rent:
Sections 13 and 14 Housing Act
1988**

Tribunal members : **Mr P Roberts FRICS CEnv**

Date of Determination : **3 May 2023**

DECISION

This has been a remote determination on the papers which the parties are taken to have consented to, as explained below. The form of determination was a paper hearing described above as **P:PAPERREMOTE**. The documents that the Tribunal was referred to are in bundles from the Applicant and the Respondent. The Tribunal has noted the contents and the decision is below.

Decision

The Landlord's notice is invalid.

Reasons

Background

1. The Landlord served notice under section 13 (2) of the Housing Act 1988 to increase the passing rent from £1,275 per calendar month (pcm) to £1,350 pcm with effect from 7 March 2023.
2. This rent is stated to be exclusive of Council Tax, Water Charges and fixed service charges.
3. The Tenant made an application dated 19 February 2023 to the Tribunal in reliance on section 13 (4) of the Housing Act 1988.
4. The Tribunal issued directions on 23 February 2023, inviting the Parties to submit any further representations (including any photographs and details of rentals for similar properties) they wished the Tribunal to consider.
5. Neither Party requested a hearing, and the matter has been determined on the papers.

Determination

6. Section 13 (2) (a) of the Housing Act 1988 states:
*“...For the purpose of securing an increase in the rent under a tenancy to which this section applies, the landlord may serve on the tenant a notice in the prescribed form proposing a new rent to take effect at the beginning of a new period of the tenancy specified in the notice, being a period not earlier than (a) **the minimum period after the date of the service of the notice...**”*
7. Paragraph 13 of the Guidance notes for landlords as attached to Form 4 states *“You or your agent (someone acting on your behalf) **must sign and date this notice.**”*
8. The Landlord's Notice is undated, and no evidence has been presented as to the date of service to demonstrate compliance with the required minimum period. The Notice is therefore invalid.

Name: Peter Roberts FRICS CEnv

Date: 3 May 2023

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).