



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

**Case reference** : **LON/00AR/MNR/2023/0043**

**Property** : **46 Omega Court, 140 London Road,  
Romford, Essex RM7 9QJ**

**Applicant (Tenant)** : **Mr Kieran Francis Taylor & Ms Alina-  
Cristina Barlos**

**Representative** : **None**

**Respondent** : **Mei Min Liau**

**Representative** : **Andrews Letting Agents**

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

**Tribunal members** : **Mr D Jagger MRICS**

**Venue** : **Paper determination**

**Date of decision** : **25<sup>th</sup> April 2023**

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**DECISION**

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## **Decision of the tribunal**

- (1) The Tribunal determines that the rent that the property in its current condition as at 1st May 2023 might reasonably be expected to achieve in the open market under an assured tenancy is **£1400 per month**

## **Background**

1. The tenants have lived in the property as an assured periodic tenant since 28<sup>th</sup> February 2020 with an agreement with Mei Min Liau for a period of one year.
2. On the 1<sup>st</sup> December 2022 the landlord's letting agent served a notice pursuant to section 13(2) of the Housing Act 1988 seeking to increase the rent from £1075 to £1800 per month effective from 28<sup>th</sup> January 2023.
3. By an application dated the 27<sup>th</sup> February 2023, the tenants referred that notice to the Tribunal for a determination of the market rent. The Tribunal issued Directions for the conduct of the matter on 3<sup>rd</sup> March 2023.
4. The Tribunal considered the matter suitable for a determination on the papers and therefore a hearing was not necessary. The parties did not disagree with this arrangement.

## **The Evidence**

5. The parties have submitted the the tenancy agreement, completed rent appeal statement and comparable evidence.

## **Inspection**

6. The Tribunal did not inspect the property and relied on the information provided by the parties and its expert knowledge. The property is a purpose built second floor flat forming part of a four storey block built in 2005. The block is some one mile from Romford town centre and railway station.
7. The accommodation comprises two bedrooms, living room, kitchen, bathroom.

## **The Law**

8. The rules governing a determination are set out in section 14 of the Housing Act 1988. In particular, the Tribunal is to determine the rent at which the property might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy, subject to disregards in relation to the nature of the tenancy (i.e. it being granted to a “sitting tenant”) and any increase or reduction in the value due to the tenant’s improvements or failure to comply with the terms of the tenancy. In the absence of any evidence to the contrary, the Tribunal has proceeded on the basis that the landlord is responsible for repairs to the structure, exterior and any installations pursuant to section 11 of the Landlord and Tenant Act 1985 a duty to keep the property in good decorative order in accordance with the tenancy agreement.

### **The valuation**

9. Having carefully considered all the evidence and the two comparables submitted by the landlord’s letting agent, The Tribunal considers that the rent that would be achieved in its current condition with reasonably modern kitchen and bathroom fittings, modern services and central heating, white goods supplied by the landlord would be **£1400** per month. This figure is based upon the comparable evidence and the Tribunal has utilized its own professional judgement and experience in the matter and no adjustments have been made for condition.
10. The average rate for rental properties in the Outer London area have gone up every quarter since the end of 2019, according to the online property portal Rightmove. The rent increases are due to not enough properties coming to the market to meet demand and the number of homes for rent is 46 per cent below 2019 levels. This puts this decision in context with the current rental market.
11. The Tribunal has been provided with a copy of the tenancy agreement, which incorporates the usual repair obligations.
12. The Tribunal received no evidence of hardship and, therefore, the rent determined by the tribunal is to take effect from **25<sup>th</sup> April 2023**.

**D Jagger MRICS Valuer Chair**

**25<sup>th</sup> April 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).