



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

Case Reference : **LON/00AM/MNR/2023/0230**

Property : **Flat 17 Talbot House
Giraud Street
London E14 6EB**

Applicant : **Ms Jasmina Bahar
(Tenant)**

Representative : **None**

Respondent : **Poplar HARCA Ltd.
(Landlord)**

Representative : **None**

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

Tribunal Members : **Mr. N Martindale FRICS**

**Date and venue of
Hearing** : **10 Alfred Place London WC1E 7LR**

Date of Decision : **1 August 2023**

REASONS FOR DECISION

Background

- 1 The First Tier Tribunal received an application form dated 5 May 2023, from the tenant. The application was for determination of a new rent of the Property under S.14 by the Tribunal.
- 2 The tenant enclosed a copy of their tenancy and of the Landlord's Notice of rent increase. The landlord is Poplar HARCA Ltd..

- 3 The Notice of Rent Increase dated 16 February 2023 sought to change the passing rent of £364.35/ week to £389.85/week including a fixed service charge element from and including 3 April 2023. To be effective the tenant must make application to the Tribunal for a determination of the new rent, before the effective start date of the new rent.
- 4 The application was made after 3 April 2023. The Tribunal does not therefore have jurisdiction under S.14 Housing Act 1988 to make a determination of the new rent.

Decision

- 5 The Tribunal determines that it has no jurisdiction to determine any new rent under S.14 Housing Act 1988 in respect of any Notice that had been served on the tenant.
- 6 The rent proposed by the landlord at £389.85, including a fixed service charge, now stands and is payable from and including 3 April 2023.

Name: N. Martindale

Date: 3 August 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).