



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

**Case Reference** : **LON/00AW/MNR/2023/0143**

**Property** : **7A Barlby Road, London W10 6AN**

**Tenant** : **Amanda Tizard**

**Landlord** : **Catalyst Housing Association**

**Date of Objection** : **27 March 2023**

**Type of Application** : **Determination of a Market Rent sections 13 & 14 of the Housing Act 1988**

**Tribunal** : **Mr A Harris LLM FRICS FCIArb**

**Date of Summary Reasons** : **16 October 2023**

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**DECISION**

**The Tribunal determines a rent of £172.72 per week with effect from 16 October 2023.**

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## **SUMMARY REASONS**

### **Background**

1. On 22 February 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £ 172.72 per week inclusive of services of £5.70 in place of the existing rent of £158.13 inclusive of £2.04 services per week to take effect from 3 April 2023
2. On 27 March 2023 under Section 13(4)(a) of the Housing Act 1988, the Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of a market rent. The Tenant's referral was received by the Tribunal on 29 March 2023.
3. By a decision dated 10 August 2023 the tribunal determined it had jurisdiction to consider the application.

### **Inspection**

4. The Tribunal did not inspect the property but considered this case on the basis of the papers provided by the parties.

### **Evidence**

5. The Tribunal has consideration of the written submissions provided by the Tenant. There were no written submissions from the landlord.

### **Determination and Valuation**

6. Having consideration of the comparable evidence proved by the parties and of our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in its assumed condition and disregarding the tenants improvements would be in the region of £172.72 per week inclusive of services.
7. The tenant provided rental evidence of a number of fair rents from the rent register. These are of no real assistance as they are assessed on a different basis and were all historic. The tribunal notes that the register entry for the subject property had an uncapped rent of £265 per week in 2014. This is the market rent less an allowance for scarcity.
8. The tenant has provided photographic evidence of the condition of the flat at the start of the tenancy and of the considerable improvements she has made. The rent is assessed on the basis of the unimproved condition of the flat.
9. The Tribunal determines a rent of £167.02 per week plus services of £5.70 per week totalling £172.72 per week.

10. The Tribunal directed the new rent of £172.72 to take effect on 16 October 2023. The Tribunal was satisfied that a starting date of that specified in the Landlord's notice would cause the tenant undue hardship.

**Chairman: A Harris**

**Date: 16 October 2023**

### **APPEAL PROVISIONS**

These summary reasons are provided to give the parties an indication as to how the Tribunal made its decision. If either party wishes to appeal this decision, they should first make a request for full reasons and the details of how to appeal will be set out in the full reasons. Any subsequent application for permission to appeal should be made on Form RP PTA.