



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

Case Reference : **JM/LON/00AH/MNR/2023/0311**

Property : **46 Jasmine Gardens, Shirley,
Croydon CR0 8LE**

Tenant : **Amanda Wheatland**

Landlord : **Mr Michael Areola and Ms Caroline
Areola**

Date of Objection : **10 July 2023**

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

Tribunal : **Ian B Holdsworth FRICS
Paul Francis QPM**

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

DECISION

**The Tribunal determines a rent of £1196.25 per calendar month with
effect from 1 August 2023.**

SUMMARY REASONS

Background

1. On 22 June 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,450 per month in place of the existing rent of £1000 per month to take effect from 1 August 2023.
2. On 10 July 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.

Inspection

3. The Tribunal has carried out an inspection of the property on 16 October 2023. The Landlord attended the property as did Mr Harry Morris of Jackson Property Services. The Landlord was not permitted internal access to the premise at inspection by Tribunal.

Evidence

4. The Tribunal has consideration of the written submissions provided by the Tenant and the Landlord.

Determination and Valuation

5. Having consideration of their our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in its current condition would be in the region of £1,450 per calendar month. From this level of rent we have made adjustments to reflect tenant improvements, tenant furniture and floor coverings, dilapidation and obsolescence at the property.

6. The full valuation is shown below:

46 Jasmine Gardens, Shirley, CR0 8LE			
Market rent calculation in accordance with Housing Act 1988 Section 13			
Market rent		£1,450.00	per month
Disregards			Deduction per month Deduction as %
Furnished by tenant including white goods		£72.50	5.00%
Dilapidations/Material rental matters			
Damp penetration to ceiling of bedroom 1 and 2		£108.75	7.50%
Faulty Upvc windows leading to poor thermal efficiency		£72.50	5.00%
	Adjustment total	£253.75	17.50%
Adjusted Market Rent		£1,196.25	per month

Decision

7. The Tribunal therefore determined that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under an assured tenancy was £1196.25 per calendar month.

8. The Tribunal directed the new rent of £1196.25 to take effect on 1 August 2023. This being the date as set out in the Landlord's Notice of Increase

Chairman: Ian B Holdsworth

Date: 16 October 2023

APPEAL PROVISIONS

You can only appeal if the First-tier Tribunal decision was wrong on one or more points of law and you must say why the First-tier Tribunal was wrong in law.

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.