



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

Case Reference : **TR/LON/00AG/MNR/2023/0144**

Property : **13 St Joseph's Flats, Drummond Crescent, London, NW1 1LE**

Tenant : **Mr Maximilian von Wietersheim-Kramsta**

Landlord : **Origin Housing Ltd**

Date of Objection : **29 March 2023**

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

Tribunal : **Valuer Chairman Ian B Holdsworth
FRICS RICS Registered Valuer**

**Date of Summary
Reasons** : **15 November 2023**

DECISION

The Tribunal determines a rent of £2227.50 per calendar month with effect from 1 April 2023.

SUMMARY REASONS

Background

1. On the 20 February 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £ 2,005 in place of the existing rent of £ 1,368 per month to take effect from 1 April 2023.
2. On 29 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.

Inspection

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

Evidence

4. The Tribunal has consideration of the written submissions provided by the Tenant. No submission was received from the tenant.

Determination and Valuation

5. Having consideration of 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 £2,700 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:

13 St. Josephs Flats, Drummond Crescent, NW1 1LE				
<i>Market rent calculation in accordance with Housing Act 1988 Section 13</i>				
Market rent			£2,700.00	per month
Disregards			Deduction per month	Deduction as %
Furnished by tenant			£135.00	5.00%
Kitchen tap works and other discretionary maintenance			£67.50	2.50%
Dilapidations/Material rental matters				
Water leak to property followed by Dehumidifying			£135.00	5.00%
Poor operation or defective rubbish/waste disposal and			£135.00	5.00%
Defective TV/Co axial cable				
		Adjustment total	£472.50	17.50%
Adjusted Market Rent			£2,227.50	per month

Decision

8. 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 £2,227.50 per calendar month.

9. The Tribunal directed the new rent of **£2,227.50** to take effect on **1 April 2023**. This being the date as set out in the Landlord's Notice of Increase.

Chairman: Ian B Holdsworth

Date: 15 November 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.

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.