



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

Case Reference : **HS/LON/00AE/MNR/2023/0332**

Property : **Top Floor Flat 42, Windsor Crescent,
Wembley, HA9 9AW**

Tenant : **Ghanem Almasarir**

Landlord : **Mohammed Alibrahim**

Date of Objection : **28 July 2023**

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

Tribunal : **Mr A Harris LLM FRICS FCI Arb
Valuer chair**

**Date of Summary
Reasons** : **18 October 2023**

DECISION

**The Tribunal determines a rent of £1620 per calendar month with
effect from 18 October 2023.**

SUMMARY REASONS

Background

1. On 21 June 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £ 1800.00 in place of the existing rent of £ 1120.00 per month to take effect from 1 August 2023.
2. On 28 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. The Tenant's referral was received by the Tribunal on 28 July 2023.

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 and the Landlord.
5. The submissions reveal disagreement between the parties over the condition of the property but an inspection was not requested. There has clearly been a problem with the roof but the evidence is unclear whether this has been finally resolved. There is also a dispute about the electrical system. The tenant sought the assistance of the Local Authority.
6. The landlord has served notice under s21.

Determination and Valuation

7. 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 the condition and with the amenities the market would expect would be in the region of £1800 per calendar month. From this level of rent we have made adjustments in relation to:

- a. The legacy of disrepair and dated fittings

8. The full valuation is shown below:

		PCM
AST Market rent		£ 1,800.00
less condition	10.0%	-£ 180.00
		£ 1,620.00

Decision

9. 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 £1620.00 per calendar month.

10. The Tribunal directed the new rent of £1620.00 to take effect on 18 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: 18 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.