



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

Case Reference : **LON/OOAN/MNR/2023/0190**

Property : **31B Minford Gardens, London W14 0AP**

Tenant : **Mr Mohammad Azimi**

Landlord : **Notting Hill Genesis**

Date of Objection : **26th March 2023**

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

Tribunal : **Mr D Jagger MRICS**

**Date of Summary
Reasons** : **31st October 2023**

DECISION

The Tribunal determines a rent of £392.30 per calendar week with effect from 3rd April 2023.

SUMMARY REASONS

Background

1. On the 24th February 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £242.34 per week in place of the existing rent of £226.49 per week to take effect from 3rd April 2023.
2. On the 26th 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 landlord together with a schedule of comparable evidence which estimated an open market rent at £1,800 pcm (£415.38 pcw). There were no written submissions from the tenant.

Determination and Valuation

5. Having consideration our own expert, general knowledge of rental values in the Shepherds Bush area, we consider that the open market rent for the property in its current condition would be £392.30 per week. From this level of rent we have made no adjustments in relation to condition.
6. The Tribunal determines a rent of £392.30 per calendar 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 £392.30 per calendar week.
9. The Tribunal directs the new rent of £392.30 to take effect on the 3rd April 2023. This being the date set out in the Landlord's Notice of Increase and the Tribunal was satisfied that a starting date of that specified in the Landlord's notice would cause the tenant undue hardship.
10. The Landlord and Tenant may renew this contract for a term to be fixed and agreed mutually at the time of renewal and may, at that time, vary any terms and conditions contained herein and there will be a 5% cap on the rent increase for an additional 12 months.

Chairman: Duncan Jagger MRICS

Date: 31 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.