



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

Case Reference : **JM/LON/00AZ/MNR/2023/0213**

Property : **2 Triptych House, 8-10 Watsons
Street, SE8 4EH**

Tenant : **Jacqueline Loughed**

Landlord : **Kinsman Housing Limited**

Date of Objection : **20 April 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
Mr O Miller BSc**

**Date of Summary
Reasons** : **13 November 2023**

DECISION

**The Tribunal determines a rent of £1440.00 per calendar month
with effect from 13 November 2023.**

SUMMARY REASONS

Background

1. On 6 March 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £ 1600.00 in place of the existing rent of £ 1300.00 per month to take effect from 23 April 2023.
2. On 20 April 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 20 April 2023.

Inspection

3. The Tribunal has carried out an inspection of the property on 13 November 2023.

Evidence

4. The Tribunal has consideration of the written submissions provided by the Tenant and the Landlord. In particular the survey report supplied by the Tenant, written representations about repair and the history of litigation and confirmation from the Landlord of agreement to carry out works which have not yet been completed. The Tribunal saw the disrepair and has reflected it in its valuation.

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 the condition and with the amenities the market would expect would be in the region of £1600.00 per calendar month. From this level of rent we have made adjustments in relation to:
 - a. The disrepair recorded in the evidence and seen on the inspection.

6. The full valuation is shown below:

		PCM
AST Market rent		£ 1,600.00
less condition/terms	10.0%	<u>-£ 160.00</u>
		£ 1,440.00

7. The Tribunal determines a rent of £1440 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 £1440.00 per calendar month.
9. The Tribunal directed the new rent of £1440.00 to take effect on 13 November 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: 13 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.