



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

Case Reference : **LON/OOAM/MNR/2023/0467**

Property : **53 Castlewood Road, Stamford Hill,
London N16 6DJ**

Tenant : **Mr Stephen Burness**

Landlord : **Mr H Goldberg**

Representative : **None**

Date of Objection : **9th November 2023**

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

Tribunal : **Mr D Jagger MRICS
Mr A Ring**

**Date of Summary
Reasons** : **15th February 2024**

DECISION

**The Tribunal determines a rent of £1,250 per calendar month with
effect from 22 December 2023.**

SUMMARY REASONS

Background

1. On the 3rd November 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,500 per month in place of the existing rent of £1,100 per month to take effect from 22nd December 2023.

2. On the 9th November 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 inspected the property on the 15th February in the presence of the tenant.

Evidence

4. The Tribunal has had consideration to the inspection and the written submissions provided by the tenant and the landlord together with the comparable evidence.

Determination and Valuation

5. Having consideration of our own expert, general knowledge of rental values in the Stamford Hill area, we consider that the open market rent for the property in good lettable condition with modern fittings and services would be £2,500 per month. Using our own expertise, we considered that deductions of 50% should be applied to take into account the terms of the tenancy, and the condition of the property. The property is suffering from severe damp and mould due to neglect to the fabric of the building. There is partial central heating. The kitchen and sanitary fittings are very dated and there is significant cracking to wall plaster. All in all, this property is in need of significant refurbishment and upgrade of services. This provides a deduction of £1,250 per month from the hypothetical rent. This reduces the figure to £1,250 per month.

It should be noted that this figure cannot be a simple arithmetical calculation and is not based upon capital costs but is the tribunal's estimate of the amount by which the rent would need to be reduced to attract a tenant.

6. The Tribunal determines a rent of £1,250 per calendar 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 in its current condition was £1,250 per calendar month.

8. The Tribunal directs the new rent of £1,250 to take effect on the 22nd December 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 not cause the tenant undue hardship.

Chairman: Duncan Jagger MRICS

Date: 15th February 2024

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.