



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

Case Reference : **LON/OOAC/MNR/2023/0349**

Property : **Flat 15, 133 East Barnet Road, London EN4 8RF**

Tenant : **Mr Bilitis ORlay**

Landlord : **Opticrealm Ltd**

**Date of Tenants
Objection** : **3rd August 2023**

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

Tribunal : **Mr D Jagger MRICS
Mr O Miller**

**Date of Summary
Reasons** : **18th January 2024**

DECISION

The Tribunal determines a rent of £1,800 per calendar month with effect from 4th September 2023.

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SUMMARY REASONS

Background

1. On the 5th July 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,900 per month in place of the existing rent of £1,700 per month to take effect from 4th September 2023. The rent set out in the tenancy agreement which commenced on the 3rd March 2021 was £1,500 per month.

2. On the 3rd August 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 18th January 2023 at 11.30 am in the presence of the tenant, Mr Mayet confirmed a representative from the landlord's letting agent In Estates Ltd would be in attendance but he was not present. The inspection revealed the property to be in good condition, evidently built in 2017. The windows are double glazed, there is gas central heating. Carpets, curtains and white goods are provided by the landlord.

Evidence

4. The Tribunal has had consideration to the written submissions provided by the Landlord.

Determination and Valuation

5. In the first instance the Tribunal determined what rent the landlord could reasonably be expected to obtain for the property in the **open market** if it were let today in the condition that is considered usual for such an open market letting.

Based upon the evidence provided by the parties together with its expert knowledge of the area, the Tribunal consider that the subject property, if finished to a reasonable standard with modern kitchen and bathroom fittings and no damp problems would be likely to attract a rent let on an assured shorthold tenancy, for £1,800 per month.

6. The Tribunal determines a rent of £1, 800 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 £1,800 per calendar month.

8. The Tribunal directs the new rent of £1,800 to take effect on the 4th September 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: 18th January 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.