



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

Case Reference : **LON/00AE/MNR/2023/0395**

Property : **39B St Pauls Avenue, Willesden Green,
London, NW2 5SS**

Tenant : **Miss Helen James**

Landlord : **Northumberland & Durham Property Trust
Limited**

Date of Objection : **10 October 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** : **23 February 2024**

DECISION

**The Tribunal determines a rent of £1100 per calendar month/week with
effect from 23 February 2024.**

SUMMARY REASONS

Background

1. On 27 September 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1850 in place of the existing rent of £822.50 per month to take effect from 20 November 2023.
2. On 10 October 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 12 October 2023.

Inspection

3. The Tribunal has carried out an inspection of the property on 23 February 2024

Evidence

4. The Tribunal has consideration of the written submissions provided by the Tenant. There were no written submissions from the Landlord.
5. The Tenancy is an assured periodic tenancy by succession in December 2022. The tenant gave evidence of works of improvement carried out by her late father during the previous regulated tenancy. However works of improvement carried out during a previous statutory tenancy are not disregarded for the purposes of section 14 of the Housing Act 1988 and the tribunal therefore takes into account the condition of the property as it saw it.
6. The flat is in generally good internal decorative order and has been well maintained by the tenant. However the kitchen is cramped and dated, and the bathroom is now also of dated appearance. External decorations are poor and some of the window frames are showing signs of wet rot.
7. Carpets curtains and white goods were provided by the tenant.

Determination and Valuation

8. 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 £1575.00 per calendar month. From this level of rent we have made adjustments in relation to:

The condition of the property and need for modernisation and the lack of carpets curtains and white goods

		PCM
AST Market rent		£ 1,575.00
less condition/terms	30.0%	-£ 472.50
		£ 1,102.50
Rounded to		£ 1,100.00

9. The Tribunal determines a rent of £1100.00 per calendar month.

Decision

10. 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 £1100.00 per calendar month/week.
11. The Tribunal directed the new rent of £1100.00 is to take effect on 23 February 2024. The tenant is in receipt of benefits and 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: 23 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.