



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

Case Reference : **LON/OOAY/MNR/2023/0025/**

Property : **27 Patio Close, Clarence Avenue, Clapham,
SW4 8JE**

Tenant : **Katarzyna Buczynska:**

Landlord : **Zahid Hanif**

Date of Objection : **5 December 2023**

Type of Application : **Determination of a Market Rent sections 22
of the Housing Act 1988**

Tribunal : **Ian B Holdsworth FRICS
RICS Registered Valuer**

**Date of Summary
Reasons** : **30 April 2024**

DECISION

**The Tribunal determines a rent of £2,200 per calendar month with effect
from 7 December 2023.**

SUMMARY REASONS

Background

1. The Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2,700 in place of the existing rent of £1,750 month to take effect from 7 December 2023.

2. On or around 5 December 2023 under Section 22(1) 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 6 December 2023.

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 Tenant and the Landlord.

Determination and Valuation

5. 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 its current condition would be in the region of £ 2,750 per calendar month.. From this level of rent we have made adjustments to reflect tenant improvements, tenant furniture and floor coverings, dilapidation and obsolescence at the property.

6. The full valuation is shown below:

27 Patio Close, Clarence Avenue, Clapham, SW4 8JE				
<i>Market rent calculation in accordance with Housing Act 1988 Section 13</i>				
Market rent		£2,750.00	per month	
Disregards			Deduction per month	Deduction as %
Part Furnished by tenant			£68.75	2.50%
White goods provided by Tenant			£68.75	2.50%
Dilapidations/Material rental matters				
Extensive mould on internal wall surfaces			£137.50	5.00%
Defective boiler			£206.25	7.50%
Bathroom and wardrobe upgarde by tenant			£68.75	2.50%
	Adjustment total		£550.00	20.00%
Adjusted Market Rent			£2,200.00	per 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 £2,200 per calendar month.

9. The Tribunal directed the new rent of £2,200 per month to take effect on 7 December 2023. This being the date as set out in the Landlord's Notice of Increase.

Chairman: Ian B Holdsworth

Date: 30 April 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.

You can only appeal if the First-tier Tribunal decision was wrong on one or more points of law and you must say why the First-tier Tribunal was wrong in law.