



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

**Case Reference** : **GB/LON/00BH/MNR/2024/0059**

**Property** : **Flat 1, Rockwell Court, 6 Papermill Place, E17 6GL**

**Tenant** : **Eroildes Benedito Rezende**

**Landlord** : **Churchill Estates**

**Date of Objection** : **18 January 2024**

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

**Tribunal** : **Judge Bernadette MacQueen  
Alison Flynn, MA, MRICS**

**Date of Decision** : **3 June 2024**

**Date of Summary Reasons** : **10 June 2024**

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**DECISION**

**The Tribunal determines a rent of £1,800 per calendar month with effect from 3 June 2024.**

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## SUMMARY REASONS

### Background

1. On 5 December 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,800 per month in place of the existing rent of £1,375 per month to take effect from 19 January 2024
2. By application dated 18 January 2024 made 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 18 January 2024.

### Inspection

3. The Tribunal carried out an inspection of the Property on 3 June 2024, accompanied by the tenants Eroildes Rezende and Renata Rosario De Souza, and George Sourou on behalf of the Landlord.

### Evidence

4. The Tribunal considered the written submissions provided by the Tenant and the Landlord. Both the Tenant and the Landlord completed the reply form.

### Determination and Valuation

5. Having considered the comparable evidence provided by the parties and the Tribunal's own expert knowledge of rental values in the area, the Tribunal considered that the open market rent for the property in good tenantable condition would be in the region of £2,000 per calendar month. From this level of rent the Tribunal made adjustments in relation to the general repair of the Property, the rising damp and shower leak.
6. The full valuation is shown below:

Market Rent £2,000 per calendar month

*Less*

General Repair/shower leak:	5%
Rising damp:	5%
<b>Total</b>	<b>10%</b>

£2,000 less 10%

**£1,800 per calendar month**

7. The Tribunal determines a rent of £1,800 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 £1,800 per calendar month.
9. The Tribunal directed the new rent of £1,800 per calendar month to take effect on 3 June 2024. The Tribunal considered the written submissions from the Tenant, and in particular the letter to the Tribunal, and was satisfied that a starting date of that specified in the Landlord's notice would cause the Tenant undue hardship.

**Judge Bernadette MacQueen**

**Date: 10 June 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 request for full reasons should be made within a month. Any subsequent application for permission to appeal should be made on Form RP PTA.