



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

**Case Reference** : **LON/00AT/MNR/2024/0083**

**Property** : **42 Romulus Court, Justin Close, TW8  
8QW**

**Tenant** : **Ms Maria Rumenova  
Kovacheva**

**Landlord** : **Capital Housing Associates Ltd**

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

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

**Tribunal** : **Tribunal Judge Ian Mohair  
Alison Flynn, MA, MRICS**

**Date of Decision** : **30 June 2024**

**Date of Extended  
Reasons** : **4 July 2024**

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**DECISION**

The Tribunal determines a rent of £1,650 per calendar month with effect from 21 April 2024.

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## **EXTENDED REASONS**

### **Background**

1. On 5 February 2024 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 £1,750 per month to take effect from 21 April 2024
2. By application dated 16 February 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.

### **Hearing and Evidence**

3. A short remote video hearing was held 27 June 2024, attended by the tenant in person with a supporting friend and also by the landlord's solicitor's agent, Mr Lewis, and Senior Property Manager, Ms Atonosova.
4. The tenant was unhappy at the increase to £1,750 from £1,550 per calendar month, which she said was the highest of anywhere in the neighbourhood. She cited evidence about the Local Housing Allowance and said two-bedroom apartments were let in the area at £1,700 per calendar month. She also referred to her neighbour's flat, which she said was "brand new" with the same layout where the rent had been increased from £1,200 to £1,400 per month.
5. Mr Lewis was unable to respond to points about the neighbour's rent. He referred to attached rentals for 1-bedroom flats at £1,900 and two bedroom ones averaging round £2,700 per calendar month. He also referred to a log of repairs, which had been carried out at the property. He also referred to the tenancy agreement, which allows the landlord to charge for utilities (in this case under section 1.1B) of the agreement for heating and hot water of £20 per week) The tenant said this had been included in the rent. However, no charges had been referred to in the notice of increase.

### **Inspection**

6. The Tribunal inspected the property on the same day. The tenant's neighbour helpfully assisted by also providing access to her flat for inspection.
7. The property is part of the Brentford Dock Estate and Brentford Dock Marina development on which development had begun in the 1970s. The property is part of a purpose built block on ground and three upper storeys. There is lift access. The approach to the flat is by a wide walkway. The property comprises two rooms, a kitchen and a

bathroom. The flooring is woodblock and some of the blocks are dislodged or uneven. Some of the doors in the kitchen units are faulty and the taps are insecure. Some of the radiators are defective. The flat has full central heating and UPVC windows. The neighbour's flat was of the same era as the subject property but had been more recently refurbished and was in better condition.

### **Determination and Valuation**

8. Having considered the comparable evidence provided by both 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 tenable condition would be in the region of £1,750 per calendar month. Although the evidence of the neighbour was helpful, the evidence of all rentals was considered as well. From this level of rent the Tribunal made adjustments in relation to the general repair of the property.
  
9. The full valuation is shown below:

Market Rent	£1,750 per calendar month
<i>Less</i>	
General landlord's repair obligation:	5%
<b>Total deductions</b>	<b>5%</b>
Net rent	<b>£1,662.50, but say £1,650 per calendar month</b>

10. The Tribunal determines a rent of £1,650 per calendar month.

### **Decision**

11. 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 £1,650 per calendar month.
  
12. The Tribunal directed the new rent of £1,650 per calendar month to take effect on 21 April 2024, as advised in the notice of increase.

## **APPEAL PROVISIONS**

These extended 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, any application for permission to appeal should be made on Form RP PTA.