



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

Case Reference : **CAM/28UF/MNR/2023/0023**

Property : **72 Sassoon Drive
Royston
Herts
SG8 5TG**

Applicant : **Justin Johnson (Tenant)**

Representative : **None**

Respondent : **Home Group Ltd. (Landlord)**

Representative : **None**

Type of Application : **Section 13(4) Housing Act 1988**

Tribunal Members : **Mr N Martindale FRICS**

Date and venue of Hearing : **29 June 2023
Cambridge County Court, 197 East
Road, Cambridge CB1 1BA**

Date of Decision : **29 June 2023**

REASONS FOR DECISION

Background

- 1 The First Tier Tribunal received an application dated 15 March 2023 from the tenant of the Property, regarding a notice of increase of rent, served by the landlord, under S.13 of the Housing Act 1988 (the Act).
- 2 The notice, dated 16 February 2023, proposed a new rent of £127.18 per week with effect from and including 3 April 2023. The passing rent was stated in the notice, as £118.86 per week from 2 April 2018.

- 3 The tenancy is an assured shorthold periodic monthly tenancy. A copy of the tenancy and of the landlord's Notice were provided.

Inspection

- 4 The Tribunal did not inspect the Property internally but viewed the exterior from a Google Street View image of the Property from the public road (taken @ April 2023). The Property is a one bedroom flat at second floor forming part of a small three storey purpose built block of flats dating from the 2000's in a large housing estate of the period.
- 5 The external face of the walls are brick with a double pitched main roof over the Block, finished in double lap concrete roof tiles over. Some of the accommodation in the block is purpose built designed and located to be within the roof space. There is an ground floor porch before the communal ground floor entrance. There appear to be shared but unallocated parking spaces nearby and there are no evident on-road parking restrictions. There is provision for bicycle storage on the ground floor.
- 6 The tenant supplied some 6No. x A4 format monochrome printed photographs. Most were over-exposed and lacked any clarity regarding their subject. The Tribunal assumed that they were intended to show areas of slight disrepair inside the flat including damp and mould growth within the bathroom from a former roof leak and from condensation. The Tribunal was however able to discern these more clearly from the pictures supplied.
- 7 The Property is a 1 bedroom, living room, kitchen and bathroom/ WC with communal parts entrance and stairs down to the ground floor access. Windows are plastic framed double glazed. Water and space heating is apparently fed from a self contained gas fired system. There are solar panels on the main roof. It is unclear which flats these may serve.
- 8 The building of which the Property forms part appears to be in good to condition. The Tribunal saw that the Property appeared from the photographs relatively new build along with the neighbouring buildings in the form of various low rise flats and houses nearby. It was in keeping with the majority of the neighbouring estate.
- 9 The Property was let not let with any white goods, or furniture and lacked any carpets and curtains from the landlord.

Representations

- 10 Directions, dated 3 April 2023, for the progression of the case, were issued by Legal Officer Lyn Ajanaku. Neither party requested a hearing. The tenant made brief representations with the application mostly through the photographs together with some notes of difficulty

of arranging getting works done by the landlord to the flat. The Tribunal received no additional representations from the landlord. The Tribunal's standard Reply Form issued with the Directions was completed and returned by both parties however. The Tribunal carefully considered such written representations as it received, from both parties.

- 11 Neither the landlord nor tenant provided any recent rental letting evidence or other local market activity.

Law

- 12 In accordance with the terms of S.14 of the Act the Tribunal is required to determine the rent at which it considers the property might reasonably be expected to let in the open market, by a willing landlord, under an assured tenancy, on the same terms as the actual tenancy; ignoring any increase in value attributable to tenant's improvements and any decrease in value due to the tenant's failure to comply with any terms of the tenancy. Thus the Property falls to be valued as it stands; but assuming that it is in a reasonable internal decorative condition.

Decision

- 13 Based on the Tribunal's own general knowledge of market rent levels in Royston, it determines that the subject property would let on normal Assured Shorthold Tenancy (AST) terms, for £180 per week, fully fitted and in good order.
- 14 There were no significant tenant's improvements or additions. There were minor landlord failings in the condition of the Property coupled with the absence of white goods, carpets and curtains and the minor damage to the interior. The Tribunal therefore makes a deduction of £20 per week to reflect these minor deficiencies, leaving £160 per week as the new rent.
- 15 The new rent of £160 per week is payable from and including the date set out in the Landlord's Notice, 3 April 2023. The landlord is free to charge any rent up to and including £160 per week but, not a rent in excess of this figure.

Chairman N Martindale FRICS

Dated 29 June 2023