



FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER  
(RESIDENTIAL PROPERTY)

Case Reference : CAM/00KA/MNR/2023/0009

Property : 1a Connaught Road  
Luton Beds LU4 8EP

Applicant : Alam Saiful & Parvin Akther  
(Tenants)

Representative : None

Respondent : Mohammed Abdul Wahid  
(Landlord)

Representative : None

Type of Application : S.13 Housing Act 1988  
Determination of a new rent

Tribunal Members : Mr N. Martindale FRICS

Date and venue of Meeting : 21 March 2023  
First Tier Tribunal (Eastern)  
HMCTS Cambridge CB1 1BA

Date of Decision : 21 March 2023

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REASONS FOR DECISION

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Background

- 1 The First Tier Tribunal received an application dated 19 January 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 29 December 2022, proposed a new rent of £1300 per calendar month exclusive, with effect from and including 1 February 2023. This rent does not include other services.

- 3 The tenancy is an assured periodic monthly tenancy with effect from and including 1 February 2021. Parts of a copy were provided.
- 4 The rent payable up to and including 31 January 2023 was £1000 per calendar month. No services were included.

#### Directions

- 5 Directions, dated 25 January 2023, for the progression of the case, were issued by Legal Officer Lyn Ajanaku. Neither party asked for a hearing.

#### Inspection

- 6 There was no inspection owing to Tribunal practice under the current health regulations.
- 7 From Google Streetview (@ June 2022) the Tribunal could see the front and side/ end elevations only. It appeared to the Tribunal that the house is a conventional 1980's semi-detached house. It appeared to have been built on a former garage/ side garden adjacent to the former end terraced house at No.1 constructed in traditional materials, form and layout from the 1930's.
- 8 This end house has brick walls and tiled, double pitched single lap concrete tiles on the main roof, on two levels. It was unclear if there was a side access to the rear garden. There were small front and rear gardens. Although there was an off-road driveway to the side of the house it appeared that this land was not included in the letting. Windows were double glazed and it is believed that space and water heater was by gas fired central heating boiler.
- 9 Externally the Property appeared to be in a fair to good condition. Directly across the road was a former non-residential building perhaps a large former public house car park and site, roughly fenced off. It appeared to be pending redevelopment. Connaught Road was sealed off to incoming traffic at its end by nearby traffic lights to the main road of Kingsway where a convenience store and vehicle stores were located. To the rear of the house and a separate small yard and storage appeared to be a substantial vacant mixed warehouse, office buildings and car park. The Property was in a mixed commercial and residential neighbourhood.

#### Tenant's and Landlord's Representations

- 10 The tenants provided written submissions via the standard Application Form to the Tribunal. There appeared to be no further representations from the landlord, other than briefly contained in the initial notice

## Law

- 11 In accordance with the terms of S14 of the Act we are required to determine the rent at which we consider 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 the Property to be in a reasonable internal decorative condition.

## Decision

- 12 From the Tribunal's own general knowledge of market rent levels in Luton it determines that the subject property would let on normal Assured Shorthold Tenancy (AST) terms, for £1300 per calendar month, fully fitted and in good order. From the representations there were no specific adjustments to be made to this figure. This leaves an unadjusted rent of £1300 pcm.

Chairman N Martindale FRICS

Date 21 March 2023