



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

**Case Reference** : **CAM/34UF/MNR/2023/0103**

**Property** : **Room 1 , 124 Spencer Bridge Road  
Northampton NN5 7DR**

**Applicant** : **George Constantinou  
(Tenant)**

**Representative** : **None**

**Respondent** : **Jeffrey Norris (Landlord)**

**Representative** : **G & S Property Partners Ltd.**

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

**Tribunal Members** : **Mr N Martindale FRICS**

**Date and venue of  
Hearing** : **2 October 2023  
Cambridge County Court, 197 East  
Road, Cambridge CB1 1BA**

**Date of Decision** : **2 October 2023**

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**REASONS FOR DECISION**

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**Background**

- 1 The First Tier Tribunal received an application (undated) late July 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 26 July 2023, proposed a new rent of £570 per calendar month with effect from and including 15 September 2023. The passing rent was stated in the notice, as £530 per calendar month, from 15 September 2022.

- 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 (data capture @ October 2018). The house faces across a small front yard and busy main road, towards Victoria Park.
- 5 The Property is a ground floor room and ensuite bathroom/ wc. It forms part of a larger HMO with 5 letting rooms, subdivided from the original two storey mid terraced dwelling house. It's one of many constructed c.1900. The house is of faced brick elevations. There is a hipped roofed front bay to the main double pitched single lap, concrete tiled roof. Windows and front door to the shared area appear to be of the older style plastic frames with double glazed units. The front exterior appears in fair condition.
- 6 In addition to exclusive use of the Property, the tenant has shared use of a ground floor communal kitchen for cooking and laundry. The kitchen has white goods including cooker and hob and washing machine. The rent includes landlord provision of hot and cold water and waste, gas fired central heating, electricity, gas, council tax, broadband internet and TV licence.

### **Representations**

- 7 Directions, dated 3 August 2023, for the progression of the case, were issued by Regional Surveyor Mary Hardman FRICS. A hearing was not requested. The standard Reply Form was sent to parties both of which completed and returned them.
- 8 The tenant made brief representations about poor relations with another occupant at the HMO; that this was affecting his health and that the landlord was trying to evict the applicant by increasing the rent. The Tribunal received no additional representations from the tenant on rent level or other lettings.
- 9 The landlord's agent referred in general to rising mains services prices. They also referred to another letting room in the same HMO, stated as currently let at £630 pcm on another AST. They also referred in general terms that "*Similar ensuite rooms in the NN5 postcode ranged from £600 up to £725 per month all bills included.*"
- 10 The Tribunal carefully considered such written and oral representations as it received, from both parties.

## **Law**

- 11 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**

- 12 Based on the Tribunal's own general knowledge of market rent levels in Northampton, it determines that the subject property would let on normal Assured Shorthold Tenancy (AST) terms, for £570 per calendar month, fully fitted and in good order, fully serviced, all bills included.
- 13 There were no significant tenant's improvements or additions. There appeared to no evidence of a shortfall or deficiency of service provided or condition of the Property or shared areas. The Tribunal did not adjust this figure therefore.
- 14 The new rent of £570 per calendar month is payable from and including the date set out in the Landlord's Notice, 15 September 2023. The landlord is not obliged to charge this rent but, may not charge in excess of this figure.

**Chairman N Martindale FRICS**

**Dated 2 October 2023**

### **Rights of appeal**

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If either party is dissatisfied with this decision, they may apply for permission to appeal to the Upper Tribunal (Lands Chamber) on any point of law arising from this Decision.

Prior to making such an appeal, an application must be made, in writing, to this Tribunal for permission to appeal. Any such application must be made within 28 days of the issue of this decision to the person making the application (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013).

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e., give the date, the property, and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).