



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

<b>Case Reference</b>	:	<b>CAM/00KA/MNR/2023/0005</b>
<b>Property</b>	:	<b>63 Morris Close Luton Beds LU3 3TR</b>
<b>Applicant</b>	:	<b>Kamran Shamsher Janjua (Tenant)</b>
<b>Representative</b>	:	<b>None</b>
<b>Respondent</b>	:	<b>Jessenia &amp; Teymour Janjua (Landlord)</b>
<b>Representative</b>	:	<b>Click That Property (Agent)</b>
<b>Type of Application</b>	:	<b>S.13 Housing Act 1988 Determination of a new rent</b>
<b>Tribunal Members</b>	:	<b>Mr N. Martindale FRICS</b>
<b>Date and venue of Meeting</b>	:	<b>21 March 2023 First Tier Tribunal (Eastern) HMCTS Cambridge CB1 1BA</b>
<b>Date of Decision</b>	:	<b>21 March 2023</b>

---

**REASONS FOR DECISION**

---

**Background**

- 1 The First Tier Tribunal received on 6 January 2023, an application on Form 6 dated 5 January 2023, from the tenant of the Property. It was 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 21 November 2022, proposed a new rent of £975 per calendar month exclusive, with effect from and including 9 January 2023. This rent does not include other services.

- 3 The tenancy is an assured periodic monthly tenancy with an initial 12 months from and including 9 August 2021 followed by a periodic monthly tenancy. A copy was provided.
- 4 The rent payable up to and including 8 January 2023 was £850 per calendar month. No services were included.

### **Directions**

- 5 Directions, dated 19 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 (@ August 2012) the Tribunal could see the front and side elevations only. It appeared to the Tribunal that the flat is part of a small conventional 1980's low rise block of similar flats. It was on part of a medium sized private housing estate with a range of small houses in short terraces and flats in other small low rise blocks.
- 8 This block has brick walls and tiled, double pitched single lap concrete tiles on the main roof, and areas of flat felted roofing. There appeared to be no rights to use communal outside space, garden, nor car parking. Windows were framed double glazed and space and water heater was by gas fired central heating boiler, all provided by the landlord. White goods in the kitchen were included by the landlord. There were no carpets and curtains included.
- 9 Externally the Property appeared to be in a fair to good condition. It was surrounded by areas of car parking mainly for residents of and visitors to the flats and houses. Use of these was not included with the demise however.

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

- 10 The tenants provided written submissions via Application Form 6, and the standard Reply Form to the Tribunal. There appeared to be no further representations from the landlord, other than as 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 £975 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 £975 pcm.

**Chairman N Martindale FRICS**

**Date 21 March 2023**