



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

Case Reference : CAM/12UE/MNR/2023/0066

Property : Flat 4 Lodge Farm, Abbots Ripton, Huntingdon,
PE282LB

Applicant : Robert Dale

Respondent : Susan Pond Lodge Farm Partnership

Type of Application : Challenging rent increase

Tribunal Members : **Judge Shepherd**
Gerard F. Smith MRICS FAAV

Date of Determination : 6th September 2023

Determination

1. On 10th April 2023 the Tribunal received an application from the tenant of premises at Flat 4 Lodge Farm, Abbots Ripton, Huntingdon, PE282LB (“The premises”) referring a rent increase proposed under s.13 Housing Act 1988.

The tenant was Robert Dale. The landlord (Susan Pond – Lodge Farm Partnership) was proposing to increase the rent from £525 per month to £790 per month. Mr Dale's objections were various including that the property was old and dated without any improvements since he took up occupation in 1993 and confusion over the addition of water rates and electricity charges. In the event Mr Dale surrendered his tenancy before the Tribunal carried out its determination. We initially decided not to make a formal determination because of the surrender. Our decision was made pursuant to s.14(8) of the Housing Act 1988. On reflection we have made a determination notwithstanding the fact that tenant has surrendered because it may affect his rights and liabilities prior to the surrender. We apologise to the Landlord's daughter who we met at the property for this change of position.

The premises

2. Flat 4, Lodge Farm is situated in what appears to be a converted former farmhouse for farm workers in a rural location on the northern edge of Huntingdon near the village of Abbots Ripton.
3. The property is situated approximately 1.5 miles from the A141, the northern route around Huntingdon and 1 mile from Abbots Ripton to the north. Abbots Ripton offers local amenities whereas at the junction with the Abbots Ripton road and the A141 there is a modern retail park including superstore. The property is situated at the end of a long farm drive.
4. At the inspection it transpired that the tenant had vacated the property some 5 to 6 weeks before and the Landlord had begun the process of cleaning the property and redecorating it and improving it for another let. The flat is situated on the first floor and extends to approximately 58m² (EPC) with an EPC rating of E(52) and offers accommodation of living room, single bedroom, kitchen and bathroom; heating is via night storage heaters. To the front of the property is a communal gravel parking area for a number of vehicles. It is understood that services were included within the rent which included water and electric.

Determination

5. One bed flats with electric heating within the town centre, without parking, range from £625 through to £650 - £675 for the Riverside Mill (on the river). A 1 bed top floor flat over a shop is £650. More modern flats are £675 upwards with the top end of the market being around £925 again in Riverside Mill but that does have allocated parking and is probably a larger flat.
6. Here we consider that the net rent would be in the region of £640 pcm. On top of this needs to be added the charges for electricity and water. The water charges are recorded in the notice of increase as £12.50 pcm. The electricity charges are not detailed but the estimated yearly energy cost when the EPC was carried out in June 2019 was £1101. Heating and fuel costs have increased since the assessment therefore it is conceivable that the services jointly would

cost £150 which added to the net rent would make the proposed rent reasonable.

7. The rent increase should commence with effect from 1st September 2023 in accordance with our powers under s.14(7) Housing Act 1988.

Judge Shepherd

6th September 2023

ANNEX - RIGHTS OF APPEAL Appealing against the tribunal's decisions

1. A written application for permission must be made to the First-tier Tribunal at the Regional tribunal office which has been dealing with the case.
2. The application for permission to appeal must arrive at the Regional tribunal office within 28 days after the date this decision is sent to the parties.
3. 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.
4. The application for permission to appeal must state the grounds of appeal, and state the result the party making the application is seeking. All applications for permission to appeal will be considered on the papers
5. Any application to stay the effect of the decision must be made at the same time as the application for permission to appeal.