



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

<b>Case Reference</b>	:	<b>CAM/33UG/MNR/2024/0093</b>
<b>Property</b>	:	<b>Flat 11 Britannia House 51 Prince of Wales Road Norwich NR1 1BL</b>
<b>Applicant</b>	:	<b>Abigail Ward &amp; Jack Thompson (Tenants)</b>
<b>Representative</b>	:	<b>Owen Willis (Housing Rights Worker)</b>
<b>Respondent</b>	:	<b>P4i Ltd (Landlord)</b>
<b>Representative</b>	:	<b>None</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>16 July 2024 First Tier Tribunal (Eastern) HMCTS Cambridge CB1 1BA</b>
<b>Date of Decision</b>	:	<b>22 August 2024</b>

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**REASONS FOR DECISION**

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**Background**

- 1 The First Tier Tribunal received an application dated 23 April 2024 from tenants 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 7 March 2024, proposed a new rent of £850 per calendar month exclusive, with effect from and including 26 April 2024. This rent does not include other services. The passing rent was said to be £675 pcm from 26 January 2021.

- 3 The tenancy is an assured periodic monthly tenancy with effect from and including 26 January 2021. A copy was provided.

### **Directions**

- 4 Directions, dated 17 May 2024, for the progression of the case, were issued by Legal Officer Laura Lawless. A hearing via video link, was arranged for 16 July 2024. Both tenants attended with their representative, together with a representative for the landlord.

### **Inspection**

- 5 There was no inspection. However from Google Streetview (@ August 2021) the Tribunal could see the front elevation. It appeared that the Property is a small converted flat created from part of Britannia House, itself a former office from the mid 1970's. The conversion of the building was completed around 2016. The building is on 4 levels; ground floor commercial use with 3 floors of residential above. The commercial use underneath is a Tesco store open 7am to 11pm adjacent to Coral betting. When they are closed, the various "night spots" along Prince of Wales Road are already open up for business instead.
- 6 The Prince of Wales road is busy, most hours of the day. With a cab office and "Sugar and Spice - Strip Club and Lap Dancing" to the south east. There are other night clubs immediately across the road from the building. The area also offers a range of late night food outlets; eat in or take away: Convenient for visitors to Town, but perhaps too "convenient", for and disturbing to, residents nearby.
- 7 The building is on 4 levels. Brick fair faced to the front main elevation, capped off with a metal covered flat/ mansard roof forming the 4<sup>th</sup> level. The front external elevation appears in fair condition. There is no off street vehicle parking for residents and on street parking is heavily controlled.
- 8 The conversion of the former office building provides useful, if basic, residential space in a number of flats, near to the Town Centre, amenities and transport. Accommodation within the 43m2 gross internal floor area flat Property on the second floor, consists of 2 rooms, kitchen and bathroom/ wc.
- 9 Aside from the communal internal entrance hall, stairwell and corridors serving the flats and a small bin and bike store to the ground floor, there are no exclusive or shared amenity areas. The former office lift serving all 4 levels from the ground floor had not been restored when the offices were converted into residential space.
- 10 The Property has central heating but, appears to retain the original single glazed windows from its days as a former office block.

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

- 11 The tenants provided written submissions via the standard Application Form and the Reply Form, to the Tribunal. The landlords also completed a standard Reply Form, as well as brief details in the initial notice. The Tribunal is grateful for such information as provided.
- 12 The tenants provided some 40 or so photographs. Although many were unclear they appeared to show cracking around the window frames and damp and mould on cold spots around the window openings. There was said to be a persistent problem with the communal door key fob.
- 13 There was also reference by the tenants to inadequate plumbing arrangements in both the kitchen and bathroom as a result of the basic standard of conversion around 2016. The landlord disputed the disrepair especially to the alleged plumbing defects. The landlord provided the carpets and white goods, save for the tenant's replacement fridge. The tenant stated that the window coverings are theirs.
- 14 Although there were no specifics, the landlord referred to a number of recent lettings of similar space within the building at £850 pcm.

## **Law**

- 15 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 the Property is in a reasonable internal decorative condition.

## **Decision**

- 16 From the Tribunal's own general knowledge of market rent levels in Norwich it determines that the subject property would let on normal Assured Shorthold Tenancy (AST) terms, for £800 per calendar month, fully fitted and in good order. The very commercial and busy nature of this particular part of the Town throughout the day and night will continue to limit the enjoyment and value of residential space here.
- 17 From the representations there were specific adjustments of £80 to be deducted from this figure for the apparent inherent disrepair to kitchen and bathroom plumbing and the absence of double glazing to windows. The tenant also provided the working fridge and curtains. This leaves an adjusted rent of £720 pcm. It is payable with effect from and including 29 March 2024. Although the landlord is not obliged to charge this new rent, they may not charge more.

**Chairman N Martindale FRICS**

**Date 22 August 2024**

### **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).

**First-tier Tribunal – Property Chamber**  
**File Ref No.**

**CAM/00UG/MNR/2024/0093**

**Notice of the Tribunal Decision and  
Register of Rents under Assured Periodic Tenancies  
(Section 14 Determination)**

**Housing Act 1988 Section 14**

**Address of Premises    The Tribunal members were**

**Flat 11 Britannia House  
51 Prince of Wales Road,  
Norwich, Norfolk NR1 1BL**

**Mr Neil Martindale FRICS**

**Landlord**

**P4i Ltd.**

**Address**

**Tenant**

**Abigail Ward & Jack Thompson**

**1. The rent  
is:    £**

**720**

**Per**

**Calendar  
month**

**(excluding water rates and  
council tax but including  
any amounts in paras 3)**

**2. The date the decision takes effect  
is:**

**26 April 2024**

**\*3. The amount included for services  
is/is**

**negligible/not applicable**

**nil**

**Per**

**\*4. Service charges are variable and are not included**

**5. Date assured tenancy commenced**

**26 January 2021**

**6. Length of the term or rental  
period**

**periodic monthly**

**7. Allocation of liability for repairs**

**Per tenancy**

**8. Furniture provided by landlord or superior landlord**

**.White goods, excepting tenant's fridge**

**9. Description of premises**

**Flat in low rise mid 1970's former offices, on 4 levels on very busy main road. Located above/ opposite commercial ground floor uses of intense night time activity. Converted 2016 to small 1/ 2 bedroom flats on 4 levels. Lift never functioned. Accommodation 2 rooms kitchen bath/ wc. No double glazing. Central Heating. Basic conversion/ finishes. Landlords carpets. Tenant curtains. No off street parking, on street restrictions. Disrepair to windows & surrounds, condensation & mould. Basic plumbing defects to kitchen and bathroom.**

**Chairman**

**Neil  
Martindale  
FRICS**

**Date  
Decision**

**of**

**22            August  
2024**