



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

Case Reference : **LON/OOBJ/MNR/2024/0157**

Property : **38 Eversleigh Road, London SW11
5XA**

Tenant : **Ms Schipper & Mr Veldhuijzen**

Landlord : **Peabody Trust**

Date of Objection : **14 March 2024**

Type of Application : **Determination of a Market Rent
sections 13 & 14 of the Housing Act
1988**

Tribunal : **Mr D Jagger MRICS**

**Date of Summary
Reasons** : **13 August 2024**

DECISION

**The Tribunal determines a rent of £1,900 per calendar month with
effect from 19 March 2024.**

SUMMARY REASONS

Background

1. On the 26 January 2024 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2,085 per month in place of the existing rent of £1,906 per month to take effect from 19 March 2024. The Tribunal were provided with a copy of the tenancy agreement which commenced on the 19 September 2009.

2. On the 14 March 2024 under Section 13(4)(a) of the Housing Act 1988, the Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of a market rent.

Inspection

3. The parties considered this matter could be undertaken without an inspection or hearing.

Evidence

4. The Tribunal received written submissions from the tenant together with photographs and a single comparable. No evidence was provided by the landlord in accordance with the Directions dated 17 June 2024.

Determination and Valuation

5. Having consideration of our own expert general knowledge of rental values in the Clapham area, we consider that the open market rent for the property if it were in good marketable condition with reasonably modern kitchen and bathroom, modern services, carpets and curtains and white goods supplied by the landlord would be £2,100 per month. This was the market rent initially determined by the landlord.

6. Using our own expertise, the Tribunal considered that a deduction of £200 should applied to take into account the actual current condition of the property based on the photographic evidence which shows significant mould to the walls and rot infestation to the sash windows. This reduces the figure to £1,900 per month.

It should be noted that this figure cannot be a simple arithmetical calculation and is not based upon capital costs but is the tribunal's estimate of the amount by which the rent would need to be reduced to attract a tenant.

Decision

7. The Tribunal therefore determined that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under an assured tenancy in its current condition was £1,900 per calendar month.

8. The Tribunal directs the new rent of £1,900 to take effect on the 19 March 2024. This, being the date set out in the Landlord's Notice of Increase and the Tribunal was satisfied that a starting date of that specified in the Landlord's notice would not cause the tenant undue hardship.

Chairman: Duncan Jagger MRICS

Date: 13 August 2024

APPEAL PROVISIONS

These summary reasons are provided to give the parties an indication as to how the Tribunal made its decision. If either party wishes to appeal this decision, they should first make a request for full reasons and the details of how to appeal will be set out in the full reasons. Any subsequent application for permission to appeal should be made on Form RP PTA.