



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

Case Reference	:	CAM/34UF/MNR/2023/0035
Property	:	33 Cotton Court Riverview Northampton NN4 8EL
Applicant	:	Sarath Sasidharan (Tenant)
Representative	:	None
Respondent	:	Steve Chambers (Landlord)
Representative	:	Turnberry Property Management Ltd. (Agent)
Type of Application	:	Section 13(4) Housing Act 1988
Tribunal Members	:	Mr N Martindale FRICS
Date and venue of Hearing	:	18 June 2024 Cambridge County Court, 197 East Road, Cambridge CB1 1BA
Date of Decision	:	18 June 2024

REASONS FOR DECISION

Background

- 1 The First Tier Tribunal received an application 7 February 2024 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 13 February 2024, proposed a new rent of £980 per calendar month with effect from and including 24 March 2024. The passing rent was stated as £850 pcm from grant on 24 February 2023.

- 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 (taken @ September 2023). The Property is a two bedroom flat at third floor, mansard style, set into the roof, forming part of a small four level purpose built block of flats dating from the 2000's in a large housing estate of the period.
- 5 The external face of the walls are brick with a double pitched main roof on the Block, finished in double lap concrete roof tiles over. There is a ground floor porch around the communal ground floor entrance. There appear to be shared but, allocated parking spaces nearby and few evident on-road parking restrictions. Gardens are communal.
- 6 The Property is a 2 bedroom, living room, kitchen and bathroom/ WC with communal parts entrance and stairs down to the ground floor access. Windows are plastic framed double glazed. Water and space heating is apparently fed from a self contained system.
- 7 The building of which the Property forms part, appears to be in good to condition. The Tribunal saw that the Property appeared from the photographs to be a relatively new build along with the neighbouring buildings in the form of various low rise flats blocks nearby. It was in keeping with the majority of the neighbouring estate.
- 8 The Property was let with the following: 2 beds dining table & chairs 2 sofa fridge washing machine 2 wardrobes 2 chest of drawers 2 small bedside table with drawers 1 small table TV stand. There was landlords carpets and curtains.
- 9 Directions, dated 24 April 2024, for the progression of the case, were issued by Case Officer Diane King. No hearing was requested.

Representations

- 10 The tenant made brief representations in their application form. No representations were received by the Tribunal from either the landlord or their agent. Neither party returned a completed Reply Form.
- 11 The Tribunal carefully considered such written representations, as it received, from both parties.

Law

- 12 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

- 13 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 £1000 pcm, fully fitted and in good order.
- 14 There were no significant tenant's improvements or additions. There were no particular landlord failings in the condition of the Property or in the provision of furnishings. Other than white goods, some tenants prefer landlord's furniture provision, others not. The Tribunal therefore makes no addition or deduction from the starting figure, leaving £1000 per calendar month as the new market rent.
- 15 The new rent of £1000 pcm is payable from and including the date set out in the Landlord's Notice, 24 March 2024. The landlord may charge any rent up to and including £1000 pcm but, not a rent in excess of this figure.

Chairman N Martindale FRICS

Dated 18 June 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).

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

Housing Act 1988 Section 14

Address of Premises

33 Cotton Court
Riverview
Northampton
NN4 8EL

The Tribunal members were

Mr Neil Martindale FRICS

Landlord

Steve Chambers

Address

Tenant

Sarath Sasidharan

1. The rent is:£

1000

Per

Per calendar month

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

2. The date the decision takes effect is:

24 March 2024

*3. The amount included for services is/is negligible/not applicable

nil

Per

*4. Service charges are variable and are not included n/a

5. Date assured tenancy commenced

24 February 2023

6. Length of the term or rental period

Calendar monthly

7. Allocation of liability for repairs

Per tenancy

8. Furniture provided by landlord or superior landlord

2 beds dining table & chairs 2 sofa fridge washing machine 2 wardrobes 2 chest of drawers 2 small bedside table with drawers 1 small table TV stand

9. Description of premises

Self contained (mansard) third floor flat within a purpose 4 level block built c.2000's. On 2000's housing estate in a residential road. Accommodation: 2 bedrooms, living room, kitchen, bathroom/wc. No ancillary space. Carpets. Double glazed full central heating. **Landlord may charge a rent up to but, not in excess of, the figure stated above at 1.**

Chairman

N Martindale

Date of Decision

18 June 2024