



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

Case Reference : **LON/OOAY/MNR/2024/0137**

Property : **Flat A 85 Kellett Road, Brixton,
London SW2 1EA**

Tenant : **Miss Karen Thompson**

Landlord : **London and Quadrant Group**

Date of Objection : **4th March 2024**

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

Tribunal : **Mr D Jagger MRICS
Mr J Francis**

**Date of Summary
Reasons** : **19 September 2024**

DECISION

**The Tribunal determines a rent of £461.60 per calendar Week with
effect from 1 April 2024.**

SUMMARY REASONS

Background

1. On the 29 January 2024 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £169.64 (including £10.35 for services) per week in place of the existing rent of £150 per week which was decided by the Tribunal on the 12th December 2023, to take effect from 1st April 2024. The Tribunal were provided with a copy of the tenancy agreement which commenced on the 5 May 2014.

2. On the 4th 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 Tribunal arrived at the property on the 19th August 2024 at around 11.am in the presence of the tenant.

Evidence

4. Following Directions prepared by the Tribunal on the 6th June 2024. The Tenant provided the Tribunal with the decision dated 12th December 2023.

Determination and Valuation

5. Having consideration of our own expert general knowledge of rental values in the Brixton 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 £577 per week

6. From this level of rent we have made adjustments in relation to: the damp and mould in the bedrooms and bathroom, no white goods, no carpets or curtains, which equates to approximately **20% (£115.40)**

Decision

6. 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 £461.70 per calendar week.

7. The Tribunal directs the new rent of £461.70 per week to take effect on the 1st April 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.

8. It is often the case that market rents are in excess of those that maybe charged by social landlord's as it is a significant part of their remit to provide affordable housing. As such depending on the type of tenancy agreement their calculation of rent is either at a percentage of market rent or by way of index. Comparison is made with the open market rather than limited to other properties which are offered by social housing providers. It is assumed that the landlord will by usual convention of social landlord's not seek to increase the rent proposed in its original notice as a result of this determination.

Chairman: Duncan Jagger MRICS

Date: 19 September 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.