



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

Case Reference : **LON/00AP/MNR/2024/0254**

Property : **Flat 13 Rigby House, 456-462 High Road, London, N17 9BF**

Tenant : **Magdalena Chytra**

Landlord : **Sovereign Network Group**

Date of Objection : **27 March 2024**

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

Tribunal : **Judge Robert Latham
Marina Krisko FRICS**

Date of Summary Reasons : **17 September 2024**

DECISION

The Tribunal determines a rent of £300 per week with effect from 1 April 2024.

SUMMARY REASONS

Background

1. On 26 February 2024, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £322.19 in place of the existing rent of £299.18 per week to take effect from 1 April 2024
2. On 13 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.

Evidence

4. On 19 July 2024, the Tribunal gave Directions. Neither party has requested an inspection or an oral hearing.
5. In a letter dated 6 August 2024, the Landlord states that the rent has been assessed in accordance with the local housing allowance rates for postcode N17 9BF. There are a total of 13 two bedroom flats at Rigby House. They have provided comparables of three local two bedroom flats which have been advertised at £404pw, £392 pw and £392 pw.
6. The Tribunal has also had regard to the Reply Form and materials provided by the Tenant. The flat was newly furnished when she took up the tenancy in 2013. However the furniture is worn and has not been replaced. The Tenant complains about the condition of her common parts and about the disrepair to the fire doors. She has provided a number of photographs.

Determination and Valuation

5. We are assessing a rent for a two bedroom flat on the first floor of a purpose built block with no garden. There is a combined kitchen and living room. We have had regard to the comparable evidence proved by the Landlord and our own expert knowledge of rental values in the area, we consider that the open market rent for the property in good tenantable condition would be in the region of £400 per week.
6. However, the flat was let furnished more than 10 years ago. An inventory of the furniture, furnishings and white goods which were provided at the commencement of the tenancy are annexed to the tenancy. These have not been renewed and are worn and in a tired condition.
7. The comparables are all modern lettings with high quality kitchens and bathrooms, with curtains and carpets which are new or relatively new. We are satisfied that a significant reduction needs to be made to reflect the condition of the subject flat and the block in which it is situated. We make a reduction of 25% (£100) and compute a market rent of £300 per week.

Decision

8. The Tribunal determines 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 is £300 per week.

9. The Tribunal directs the new rent of £300 per week shall take effect from 1 April 2024, namely the date as set out in the Landlord's Notice of Increase.

Judge Robert Latham
17 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 request for full reasons should be made within a month. Any subsequent application for permission to appeal should be made on Form RP PTA.