



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

Case Reference : **LON/00AN/MNR/2024/0294**

Property : **1 Findon Road, London, W12 9PY**

Tenants : **Santiago Herrero and
Rocio de la Cuadra**

Landlord : **Stephan von Posern**

Date of Objection : **13 May 2024**

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

Tribunal : **Judge Bernadette MacQueen
Mrs Ratcliff, MRICS**

Date of Decision : **23 September 2024**

**Date of Summary
Reasons** : **7 October 2024**

DECISION

**The Tribunal determines a rent of £6,450 per calendar month with
effect from 16 May 2024.**

SUMMARY REASONS

Background

1. On 12 April 2024, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £6,900 per month in place of the existing rent of £6,300 per month to take effect from 16 May 2024.
2. By application received by the Tribunal on 13 May 2024, made 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 and Hearing

3. On 23 September 2024, the Tribunal held a short oral hearing and also carried out an inspection of the Property, accompanied by Santiago Herrero on behalf of the Tenants and Stephan von Posern, Landlord.

Evidence

4. The Tribunal considered the written submissions provided by both the Tenants and the Landlord, which consisted of their Reply forms, along with additional written evidence, and similar properties that both the Tenant and the Landlord asked the Tribunal to consider. Additionally, the Tribunal considered the oral submissions made at the hearing by both parties, as well as its inspection of the Property.

Determination and Valuation

5. The Property was a 19-century end of terrace house that had a living room, kitchen, cloakroom, laundry room, 5 bedrooms, 2 separate bathrooms, a walk-in dressing room, an attic study and a private garden. The Property had central heating and triple glazed windows, provided by the Landlord. The Landlord had also provided the white goods, flooring, curtains and blinds.
6. Having considered the comparable evidence provided by the parties, and the Tribunal's own expert knowledge and experience, the Tribunal considered that the open market rental value for a similar property in this location would be in the range of £6,700 per calendar month. The Tribunal then adjusted this to £6,450 to reflect in particular that the kitchen was slightly tired in appearance and the property did not benefit from parking or an en suite bathroom.

Decision

7. The Tribunal determined a market rent of £6,450 per calendar month, to take effect from 16 May 2024.

Judge Bernadette MacQueen

Date: 7 October 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.