



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

Case Reference : **LON/00AL/MNR/2023/0466**

Property : **Flat 32 Osborn House, Osborn Terrace,
London SE3 9GB**

Tenant : **Susan Gordon Byron**

Landlord : **GCP Asset Management (UK) Ltd**

Representative : **Mr Bobby Andrews, Head of Lettings
GCP**

Date of Objection : **1 November 2023**

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

Tribunal : **Ian B Holdsworth FRICS
RICS Registered Valuer
Mr Nat Miller BSc**

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

DECISION

The tribunal determines a rent of £1200 per calendar month with effect from 17 October 2024.

SUMMARY REASONS

Background

1. On 24 October 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1200 in place of the existing rent of £1050 per month to take effect from 1 December 2023.
2. On 1 November 2023 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. A video hearing was held on 17 October to discuss the application which was attended by Ms S Byron, the tenant and Mr B Andrews, Head of Lettings for GCP (UK) Limited.
4. Ms Byron told the tribunal that her written submissions should stand as her case and she had no further evidence to give.
5. Mr Andrews provided further rental transaction evidence from Osborn House for recently let studio flats. He reported rental settlements that ranged from £1250 - £1325 per month for studio flats of a similar type to the subject. The submitted comparable transactions varied in size from 336 ft² to 409ft² gross internal area (GIA). The tribunal are told Flat 32 has a GIA of 356ft².
6. The tribunal did not inspect the property but considered this case on the basis of the papers provided by the parties and the oral submissions made at the hearing.

Determination and Valuation

7. Having consideration of the comparable evidence proved by the parties and of our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in its current condition would be in the region of **£1250 per calendar month**. From this level of rent we have made adjustments to reflect any tenant furniture and floor coverings at the property.

8. The full valuation is shown below:

Flat 32 Osborn House, Osborn Terrace, SE3 9GB				
Market rent calculation in accordance with Housing Act 1988 Section 13				
Market rent		£1,225.00	per month	
Disregards			Deduction per month	Deduction as %
Furnished by tenant			£24.50	2.00%
Dilapidations/Material rental matters				
None advised		£ -		0.00%
	Adjustment total		£24.50	2.00%
Adjusted Market Rent			£1,200.50	per month
		Rounded to	£1,200.00	per month

Decision

9. 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 was **£1,200 per calendar month**.

10. The tribunal directed the new rent of £1,200 to take effect on **17 October 2024**. The tribunal were told that the tenant is in receipt of Universal Credit. The tribunal was satisfied that a starting date of that specified in the Landlord's notice would cause the tenant undue hardship.

Chairman: Ian B Holdsworth

Date: 17 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 subsequent application for permission to appeal should be made on Form RP PTA.

You can only appeal if the First-tier Tribunal decision was wrong on one or more points of law and you must say why the First-tier Tribunal was wrong in law.