



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

Case Reference : **LON/OOAS/MNR/2024/0329**

Property : **47 Saunton Avenue, Hayes UB3 5HG**

Tenant : **Mr Vadim Kozlov, Ms Dziujeta
Andriukaitiene & Michailas Seikinas**

Landlord : **Rishi Estates**

Date of Objection : **10 June 2024**

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

Tribunal : **Mr D Jagger MRICS
Mr O Miller**

**Date of Summary
Reasons** : **18 October 2024**

DECISION

**The Tribunal determines a rent of £1,900 per calendar month with
effect from 11th June 2024.**

SUMMARY REASONS

Background

1. On the 18 April 2024 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2,500 per month in place of the existing rent of £1,460 per month to take effect from 11 June 2024.
2. The Tenants application is dated the 10th June 2024, under Section 13(4)(a) of the Housing Act 1988, however this is considered a typing error. The Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of a market rent.
3. The Tenant has lived at the property since 11 April 2011 under an Assured Shorthold Agreement which was renewed on the 11 July 2015.

Inspection and Hearing

3. A hearing to hear the parties' representations was held at 9.30am on the 17th October 2024. The hearing was attended by tenant and the landlord represented by his solicitor Mr Winarskie.
4. Following the hearing, the Tribunal arrived at the property on the 17th October 2024 at 1.07 in the presence of the tenant and the landlord.

Evidence

5. The Tribunal has consideration of the extensive written submissions provided by the landlord and tenant together with comparable evidence from each party and a statement of case together with 47 photographs.
6. At the hearing, the tenant confirmed the previous rent of £1,460 per month was set by the Tribunal on the 11 April 2023. It is confirmed, the landlord has undertaken some of the schedule of works including new sanitary fittings. The Tenant confirmed he would be willing to accept a revised rent of £1750 pcm. In opposition, Mr Winarskie contended that the works of maintenance and improvement have been carried out to the property since the past decision of the Tribunal. There are only four three-bedroom houses available to rent within a one-mile radius which confirms the rental market remains extremely buoyant due to its location close to the airport. Therefore, he seeks a figure of £2,500 on behalf of the landlord.

Determination and Valuation

7. Firstly, having consideration of the comparable evidence together with our own expert, general knowledge of rental values in the Hayes area, we consider that the open market rent for the property in its current condition would be **£2,200** per month.

8. The Tribunal now needs to adjust this rent to allow for the poor internal condition of the property, the dilapidated fence panels, defective plaster finishes and damp and mould. Using its own expertise upon the inspection, the Tribunal considers that a deduction of **£300** (14%) should be applied. This reduces the rental figure to **£1,900** per month.

Decision

9. The Tribunal therefore 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 **£1,900** per calendar month.

10. The Tribunal directs the new rent of £1,900 to take effect on the 11 June 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.

Chairman: Duncan Jagger MRICS

Date: 18 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.