



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

Case Reference : **LON/00AW/MNR/2024/0327**

Property : **Flat 11, Oakeford House, 72 Russell Road, London, W14 8HW**

Tenant : **Kamran Attaei**

Landlord : **Ajaykumar Patel**

Date of Objection : **10 June 2024**

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

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

Date of Decision : **23 September 2024**

**Date of Summary
Reasons** : **30 September 2024**

DECISION

The Tribunal determines a rent of £1,900 per calendar month with effect from 15 June 2024.

SUMMARY REASONS

Background

1. On 4 May 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 £1,900 per month to take effect from 15 June 2024.
2. By application received by the Tribunal on 10 June 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. At the request of the Tenant, Kamran Attaei, the Tribunal held a short oral hearing and also carried out an inspection of the Property on 23 September 2024, accompanied by the Tenant.
4. The Landlord did not attend the hearing or inspection but did provide written submissions to the Tribunal.

Evidence

5. The Tribunal considered the written submissions provided by the Tenant in their Reply Form. The Tribunal also considered the written submissions provided by the Landlord, which included their Reply Form as well as an inventory schedule of works and details of similar properties the Landlord asked the Tribunal to consider. Additionally, the Tribunal considered the oral submissions made at the hearing by Kamran Attaei, as well as its inspection of the Property.

Determination and Valuation

6. The Property was a two-bedroom second floor flat within a purpose built block of flats. The Property did not have central heating, but did have double glazing provided by the Landlord. Curtains, carpet and white goods were also provided by the Landlord, however the Tenant told the Tribunal that the dishwasher was not working and the curtains and carpet provided by the Landlord were old. The Property was furnished by the Landlord when the Tenant took up occupation in 1999. Over the following 25 years, the Tenant had replaced most of the furniture as the various items wore out.

7. Having considered the comparable evidence provided by the Landlord, and the Tribunal's own expert knowledge and experience, the Tribunal considered that the open market value for a similar two-bedroom flat in reasonable condition in this location would be £2,500 per calendar month. The Tribunal then adjusted this to £1,900 to reflect that there was no central heating, the dishwasher and extractor fan did not work and rings on the hob did not work as they should. Additionally, a reduction was made for the general condition of the Property, in particular the bathrooms, double glazing, furniture and carpet.

Decision

8. The Tribunal therefore determined that the rent at which the Property, in a reasonable condition, might be expected to be let at by a willing landlord under an assured tenancy was £2,500 per calendar month.
9. The Tribunal directed the new rent of £1,900 per calendar month to take effect from 15 June 2024.

Judge Bernadette MacQueen

Date: 30 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.