



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

**Case Reference** : **LON/OOAP/MNR/2024/0299**

**Property** : **5 Turnpike Mews, Turnpike Lane  
London, N8 0EP**

**Tenant** : **Mr Slavko Goljevac**

**Landlord** : **Ms Dawn Learmont represented by  
Mr Miah**

**Date of Objection** : **11 May 2024**

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

**Tribunal** : **R Waterhouse FRICS  
J Francis QPM**

**Date of Summary  
Reasons** : **1 November 2024**

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**DECISION**

**The Tribunal determines a rent of £800.00 per calendar month with  
effect from 1 June 2024.**

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## SUMMARY REASONS

### Background

1. On **2 April 2024** the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of **£1100.00 per month** in place of the existing rent of **£ 550.00 per month** to take effect from **1 June 2024**.

2. An application dated **11 May 2024** was 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. The Tenant's referral was received by the Tribunal on **11 May 2024**.

### Inspection

3. The Tribunal did inspect the property. The property is located in mews behind the main road. The tenancy is of a room and ensuite at the top of the mid terrace mews house. At the time of the inspection, it was noted that on the ground floor of the building was one tenant with an adjoining room and adjoining bathroom. It is understood that the ground floor bathroom is available for use by the Applicant. On the first floor is a kitchen and a further room which was at the time if the inspection set out as a living room, it was understood that this was used in conjunction with the tenancy of the ground floor. The kitchen is functional, small and in modest condition. The common parts of the building appear tired. On the second floor, was the subject premises which comprised a room capable of being used as a double bedroom, it contained a single bed that was understood to be owned by the tenant and a fridge freezer which was supplied by the landlord. Off the bedroom was an ensuite shower room for the sole use of the tenant, the room comprised a shower, WC and a basin. The ensuite had a sky light. The ceiling was showing extensive evidence of flaking paint, it is not clear if this was as a result of the humidity in the room or leaking from the roof. The bedroom and ensuite had radiators supplying heat from a central boiler heating system for the building. All bills, council tax, water, electricity and gas are contained in the rent paid.

### Evidence

4. The Tribunal has considered the written submissions, oral submissions made at the hearing, provided by the parties, and the tribunal has had the benefit of an inspection. The Landlord Dawn Learmount gave evidence and was represented by Mr Miah a solicitor. Mr Goljevea gave evidence as applicant. Both parties set out the history and provided their view of the rental value of the property. The tenant submitting it was worth in the region of £650-£700 per month including bills. The Landlord asserting their belief it was worth in the region of £1100.00 per month.

### Determination and Valuation

5. 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 good tenantable condition would

be in the region of £1000 per calendar month including bills which are electricity , gas, water and council tax.

**Decision**

6. The Tribunal considered what discount was applicable for the condition of both the room and the wider property. The discount determined was 20% the tribunal therefore determined a rent of £800.00 per month.

7. The Tenant made an application for the effective date of the rent to be later than that contained in the Notice of the rent Increase by the Landlord. The Tenant noted in their submission that they had long term health issues which prevented them from working. The tribunal heard evidence that whilst the tenant was on long term sick leave the company was trying to accommodate the tenants needs while remaining in employment.

Given this evidence the tribunal did not make an adjustment for the hardship aspect of the application.

8. The Tribunal therefore determines the new rent of £800.00 per month to take effect on 1 June 2024.

**Chairman: R Waterhouse FRICS**  
**Date: 1 November 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.