



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

**Case Reference** : **LON/00AE/MNR/2024/0207**

**Property** : **Flat A, 90 Clifford Gardens, London,  
NW10 5JB**

**Tenant** : **Ms Shabana Bibi**

**Landlord** : **Notting Hill Genesis**

**Date of Objection** : **21 March 2024**

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

**Tribunal** : **Judge Tagliavini  
Mr S D Johnson MRICS**

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

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**DECISION**

**The Tribunal determines a rent of £332.50 per week plus £5.16  
service charges with effect from 1 April 2024**

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## SUMMARY REASONS

### Background

1. On 20 February 2024, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £159.11 per week plus weekly service charges of £5.16 in place of the existing rent of £147.55 plus £5.16 service charges to take effect from 1 April 2024.
2. On 21 March 2024 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 22 March 2024.

### Inspection

3. The Tribunal did not inspect the property but considered this case on the basis of the papers provided by the parties.

### Evidence

4. The Tribunal considered the written submissions provided by the Tenant in the application form.

### Determination and Valuation

5. In the absence of any comparable properties being provided by either party, the tribunal relied upon its own expert, general knowledge of rental values in the area of NW10. It considered that the open market rent for the property in good tenable condition/its current condition would be in the region of £475 per week. From this level of rent the tribunal made adjustments of 30% in relation to:

- (i) White goods
- (ii) Furniture
- (iii) Kitchen
- (iv) Single glazing

6. The full valuation is shown below:

|  |         |
|--|---------|
| Market Rent per week   | £475.00 |
| Less 30%   |         |
| Adjusted market rent   | £332.50 |
| Plus service charges (including communal electricity and management charges) | £ 5.16  |

**New weekly market rent including service charges: £337.66**

7. The Tribunal determines a weekly rent of £337.66 (inclusive of service charges of £5.16).

**Decision**

8. 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 £337.66 per week.
9. The Tribunal directs the new rent of 337.66 (inclusive of £5.16 service charges) to take effect on 1 April 2024. This being the date as set out in the Landlord's Notice of Increase.
10. However, the landlord is not required to charge this market rent and cannot charge more but seek only to charge the rent as set out in its Notice of Increase date 20 February 2024.

**Chairperson: Judge Tagliavini**

**Date: 7 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.