



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

Case Reference : **LON/00AJ/MNR/2024/0374**

Hearing Type : **Paper Determination**

Property : **70 Vicarage Close, Northolt, Middlesex, UB5 5EG**

Applicant : **Mr Tharmalingam Kanapathipillia & Mrs
Sinnamaiar Jacob (Tenant)**

Respondent : **Mr Rishi Shinn (Landlord)**

Type of Application : **Referral in Respect of Market Rent Under Section
13 of the Housing Act 1988**

Tribunal Members : **J. A. Naylor FRICS FIRPM
Valuer Chairman**

Date of Hearing : **4 November 2024**

Date of Full Reasons : **4 November 2024**

**STATEMENT OF FULL REASONS ON AN APPLICATION FOR
DETERMINATION OF A MARKET RENT UNDER S. 13 AND 14 OF THE
HOUSING ACT 1988.**

REASONS

Background

1. On 26 June 2024 the landlord served a Notice under Section 13(2) of the Housing Act 1988 proposing an increase in the rent of the above property from the passing rent of £1,150 per month to £1,400 per month from 25 July 2024.
2. On 24 July 2024 the tenant made an application to the Tribunal for the determination of a market rent.
3. The original tenancy was believed to have begun in October 2015.
4. The tenant occupies the property by way of an Assured Periodic Tenancy.
5. By way of a letter dated 5 November 2024, believed to be in error for the actual date of 5th September 2024 the Tribunal issued directions. These required the landlord to provide details of evidence on which they wished to rely by way of reply by 26 September 2024. The tenant was directed to do the same by 10 October 2024 and the landlord was given until 17 October 2024 for his response thereto.
6. Neither party took the opportunity to make submissions.
7. In consideration of the Market rental value of the subject property, the Tribunal has taken into consideration all documentation before it, including any letters and the any reply forms returned by the parties.
8. On 4 November 2024, on the basis of paper submissions and without a hearing, the Tribunal determined the Market rent of the above property at £1,300 per month.

The Law

9. When determining a market rent in accordance with the Housing Act 1988 Section 13 regard must be had to all of the circumstances (other than personal circumstances) including the age, location and state of repair of the property, matters contained within the rent, repairing obligations, etc. This means that issues such as the tenant's ability to pay the rent or bills associated with the property are not a consideration for the tribunal in assessing the rent.

Valuation

10. Following consideration of the written and photographic submissions given by both parties, and taking into account the Tribunal's own knowledge and experience of the rental market in Northolt , the Tribunal finds that the market rental value of the property, if it was in good condition, would be £1,300 per month.

Valuation Calculation

11. Open market rent	£1,300.00 per month
Deduction for adjustments =	Nil
Adjusted rent	£1,300.00 per month

The Tribunal, therefore, determines that the market rental value of the property should be set at a figure of £1,300 per month.

Chairman: J. A. Naylor FRICS FIRPM

Valuer Chairman

Date: 4 November 2024

ANNEX OF RIGHTS FOR MARKET RENTS

By Rule 36(2) of the Tribunal procedure, (First-tier Tribunal) (Property Chamber) Rules 2013 the Tribunal is required to notify the parties about any right of appeal they might have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with this case.

The application for permission to appeal must arrive at the regional office within 28 days after the Tribunal sends written reasons for the Decision to the person making the application.

If the application is not made within the 28 day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the Tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the Tribunal to which it relates (i.e. give the date, the property, and the case number), state the grounds of appeal and state the result the party making the application is seeking. Any appeal in respect of the Housing Act 1988 should be on a point of law.

If the Tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).