



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

Case Reference : **LON/00AY/MNR/2024/0056**

Property : **49 Edithna Street, London, SW9 9JR**

Tenant : **Mr David Copas**

Landlord : **Bankway Properties Ltd**

Representative : **Hamways Limited**

Date of Application : **9 January 2024**

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

Tribunal : **Mr O Dowty MRICS
Mr J Francis QPM**

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

DECISION

The Tribunal determines a rent of £166 per week with effect from 15 January 2024.

SUMMARY REASONS

Background

1. On 30 November 2023 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £173.08 per week in place of the existing rent of £165 per week to take effect from 15 January 2024.

2. On 9 January 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 11 January 2024.

3. The Tribunal previously made a decision in this matter (dated 21 May 2024). That decision was subsequently set aside in a decision dated 19 June 2024 by Judge MacQueen.

Inspection

4. The Tribunal carried out an inspection of the property on 19 August 2024.

Evidence

5. The Tribunal has consideration of the written submissions provided by the Tenant and the Landlord.

Determination and Valuation

6. Having consideration of the comparable evidence provided 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 £415 per week. From this level of rent we have made adjustments in relation to:

- The windows and doors at the property being single glazed, and both they and their surrounding frames, lintels and cills being generally in poor condition.
- The lack of central heating at the property
- The lease terms at the property being less attractive to a potential tenant than would generally be expected in the market as regards internal decorations.
- The tenant's provision of white goods, curtains and other similar furnishings – and the lack of floor coverings provided by the landlord.
- The kitchen having been installed (and some other minor works carried out) by the tenant
- The damp, mould and water ingress at the property (which, amongst other things, renders the second bedroom unusable as such) – and the external condition of it.

6. The full valuation is shown below:

Hypothetical Market Rent Per Week	£415
LESS 15% single glazing & windows, doors and their surrounds in poor condition	£62.25
LESS 10% no central heating	£41.50
LESS 7.5% lease terms	£31.13
LESS 5% no floor coverings and tenant's white goods, curtains etc	£20.75
LESS 2.5% tenant installed kitchen & other minor works	£10.38
LESS 20% damp, mould, water ingress (inc. issues in 2nd bedroom) and external condition	£83.00
Market Rent Per Week	£166

7. The Tribunal determines a rent of £166 per week and this equates to approximately £719.33 per calendar month.

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 £166 per week.

9. The Tribunal directs the new rent of £166 to take effect on 15 January 2024; this being the date as set out in the Landlord's Notice of Increase.

Chairman: Mr O Dowty MRICS

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.