



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

Case Reference : **LON/00AX/MNR2024/0606**

Property : **Flat 3 Lynwood Court, Gloucester Road,
Kingston upon Thames, London KT1 3RJ**

Tenant : **Ms Isabel Mckeown**

Landlord : **Mr Alex Gerrard**

Date of Objection : **8 August 2024**

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

Tribunal : **Judge Pittaway
Mr K Ridgeway MRICS**

**Date of Summary
Reasons** : **4 December 2024**

DECISION

**The Tribunal determines a rent of £1,530 per calendar month with effect
from 4 December 2024**

SUMMARY REASONS

Background

1. The Landlord served a notice under Section 13(2) of the Housing Act 1988 (the '**1988 Act**') which proposed a new rent of £2,250 per month in place of the existing rent of £1,488.57 to take effect from 10 August 2024.
2. On 8 August 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 8 August 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 has considered the written submissions provided by the Tenant. There were no written submissions from the Landlord.

Determination and Valuation

5. This is a self-contained flat in a purpose-built block. The accommodation is comprised of two bedrooms, living room, kitchen and bathroom. In her application to the Tribunal, the tenant advised that there is no central heating, an 'old hot water tank system' and ongoing mould problems.
6. No rental evidence was provided by either the Landlord or the Tenant and neither completed and returned the reply form attached to the directions.
7. Therefore, having consideration of the Tribunal's own expert, general knowledge of rental values in the area, the Tribunal considers that the the open market rent for the property in its stated condition and with the stated amenities would expect to be in the region of £1,700 per calendar month.
8. The Tribunal has adjusted this rent by 10% to allow for the differences between condition of the property and that considered usual for such a letting in today's market.

Decision

9. The Tribunal therefore determines 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 is £1,530 per calendar month.
10. Under section 14(7) of the 1988 Act, the Tribunal has a discretion to fix the starting date for the new rent from any point in time between the date set out in the notice of increase to the date that the rent is determined, if it appears to the Tribunal that the increase in rent would cause undue hardship to the tenant.

11. The Tenant submitted that she is in receipt of Universal Credit, and that it would cause her financial hardship if the increase in rent was backdated to the date of the Landlord's notice.

12. The Tribunal directs the new rent of £1,530 per calendar month take effect on 4 December 2024, the Tribunal was satisfied that a starting date of that specified in the Landlord's notice would cause the tenant undue hardship.

Chairman: Judge Pittaway

Date: 4 December 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.