



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

Case Reference : **MF/LON/OOBC/MNR/2024/0375**

Property : **47 Audrey Road, Ilford, IG1 2DY**

Tenant : **Mohammad Shafiq Qureshi**

Landlord : **Mrs Trudtiben Patel represented by
Samirkumar Patel**

Date of Objection : **9 July 2024**

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

Tribunal : **R Waterhouse FRICS
O Miller**

Hearing, no inspection

**Date of Summary
Reasons** : **29 November 2024**

Date of Full Reasons : **17 December 2024**

© CROWN COPYRIGHT 2024

DECISION

**The Tribunal determines a rent of £2100.00 per calendar month
with effect from 15 July 2024**

Full REASONS

Following a request from Mohammad Quresshi for full reasons.

Background

1. On **12 June 2024** the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of **£2500.00 per month** in place of the existing rent of **£1650.00 per month** to take effect from **15 July 2024**.

2. On **9 July 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 **9 July 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 Applicant, Mohammad Shafiq Qureshi attended the hearing and presented his case. The Applicant described the property, which is a semi-detached house, one kitchen, one living room, two bedrooms, and one bathroom, there is a garden outside. Also confirming it was in good condition, and that the landlord attended to all repairs when needed.

5. In the actual hearing, the Applicant did not cite specific comparable but felt it would be in the order of £1650- £1700 per month. The Tribunal did consider the Applicants submissions which included information on rental levels.

6. The Applicant submitted on 27 November 2024 a letter to the Tribunal noting;

7. A completed Reply Form dated 16 October 2024 and including a submission.

8. The submission stated (i) a denial the property is sublet (ii) it is not used for business purposes (iii) that the property is not licensed and so not capable of being rented out (iv) a note of earning and that the tenant is in receipt of universal credit (v) annexe 3 and 4 show comparable properties at £1800 and £1975 per month.

9. There is also an external picture of; 34 Audry Road with a figure of £1600 per month, 40 Audry Road with a figure of £1600 per month, 34 Audry Road with a figure of £1600 per month; 52 Audry Road with a figure of £1675 per month, 53 Audry Road with a figure of £1700 per month.

10. No application for hardship was made.

The Respondents case

11. Papers submitted to the Tribunal comprised;

A letter dated 1 November 2024, confirmed to the Tribunal that Mr Samirkumar Patel was representing his wife the Respondent Mrs Trupitben Patel.

An extract of a messaging APP dated 24 August 2018 which detailed rent payment collection.

Copy of certificate of delivery dated 28 September 2024

Copy of acknowledgement from Redbridge of an Application for Temporary Exemption

Photograph of a kitchen which looks newly fitted

Results for occupancy search for property dated 25-9-24

Photograph of a carpeted room with red curtains

Photograph of a magnolia painted carpeted room empty

Photograph of a bathroom with white suite

Photograph of a room with laminate flooring – empty

Photograph of a paved garden with shed

Photograph of the front exterior of a Victorian end of terrace house

Extract of “zoopla” of same house showing marketing at £2750 per month asking

Extract of Companies House Register for 47 Audrey Road

Completed Reply Form showing landlord supplied Double glazing, central heating, curtains, carpets and white goods.

Copy of Submission by the Respondent dated 20 October 2024 asserting (i) the tenant's son lives at the property and carries out a business from it (ii) the landlord has applied for a licence under the selective licensing scheme for Redbridge, Other matters also included within the submission.

Copy of letter from Redbridge noting that on the 20 September 2024 the landlord applied for a Temporary Exemption Notice.

The Respondent confirmed the property was in good order and confirmed the seeking of a rent of £2500 per month.

Determination and Valuation

12. The Tribunal did not inspect the property but relied on the photographs of the property within the submissions and the parties description. Both parties agreed that the property was in good order and that the landlord carried out repairs when needed.

13. In terms of the submissions relating to alleged subletting and use of the property for business purposes these do not have any impact upon the determination of the rent.

14. With respect to the licence and the application to Redbridge for a Temporary Exemption dated 20 September 2024, the Notice of Increase is dated 12 June with effect from the 15 July 2024. The Tribunal has no evidence to indicate that the Landlord held a licence at the date the Notice of Increase of Rent was due to come into effect.

15. The Respondent submitted a number of comparables in the Road which ranged from £1600 per month to £1750 per month. Unfortunately, these property details do not give details of internal condition or specification. Also, the comparables do not have any detail of whether they were achieved or when. The Tribunal however gives them some weight in terms of context only.

16. 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 tenable condition, and licenced would be in the region of £2200.00 per month. However, at the date of the rent there was no licence. There was no indication that the property would fail to attain a licence, so the Tribunal makes a reduction of 5% in the rental bid pending an application by the landlord.

Decision

17. 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 shorthold tenancy without a licence as £2200.00 less 5% which gives was £2090.00 per month round to **£2100.00 per month.**

18. The Tribunal determines the new rent of **£2100.00 per month** to take effect on **15 July 2024**. This being the date as set out in the Landlord's Notice of Increase.

Chairman: R Waterhouse FRICS
Date of Summary Reasons: 29 November 2024
Date of Full Reasons: 17 December 2024

Appeal to the Upper Tribunal

A person wishing to appeal this decision to the Upper Tribunal (Property Chamber) on a point of law must seek permission to do so by making a written application to the First-tier Tribunal at the Regional Office which has been dealing with the case which application must:

- a. be received by the said office within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
- b. identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.