



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

Case Reference : **HAV/29UN/MNR/2024/0519**

Property : **Flat 4D Arlington House
All Saints Avenue
Margate
Kent
CT9 1XP**

Applicant Tenant : **Miss C McGillicuddy**

Representative : **None**

Respondent Landlord : **Originally Mrs R Godden, now Mr Ahron
Bard, Yarchiv Property Management
Ltd.**

Representative : **Jesse Holness Property Services**

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

Tribunal Members : **Mr I R Perry FRICS
Mr N I Robinson FRICS**

Date of Application : **11th September 2024**

Date of Decision : **11th November 2024**

DECISION

**The Tribunal determines a rent of £880 per calendar month with effect
from 20th September 2024.**

SUMMARY REASONS

Background

1. On 16th August 2024 the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £900 per month in place of the existing rent of £475 per month to take effect from 20th September 2024.
2. On 11th September 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.

Inspection

3. The Tribunal did not inspect the property but considered this case based on the papers provided by the parties and information freely available on the internet.

Evidence

4. The Tribunal has considered the written submissions provided by the Parties.

Determination and Valuation

5. Having considered the comparable evidence provided by the parties and of its own expert, general knowledge of rental values in the area, the Tribunal determines that the open market rent for the property in good tenable condition would be £900 per calendar month.
6. Such a tenancy would normally include white goods, carpets, curtains/blinds and associated fittings to all be provided by the Landlord.
7. In this case the property is not let in such condition or with white goods, carpets/curtains and fittings all supplied so some adjustments to the 'open market rent' are necessary. In particular the Tribunal has made the adjustments for Tenant's provision of some white goods.
8. The full valuation is shown below:

Full open market rent in good condition	£900
Less deductions for:-	
Tenants provision of some white goods	£20

TOTAL RENT PAYABLE PER MONTH	£880

9. The Tribunal therefore decided that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under the terms of this assured tenancy was £880 per month.

10. The Tenant made no representation that the starting date for the new rent specified in the Landlord's notice would cause the Tenant undue hardship.
11. Accordingly, the Tribunal directed that the new rent of £880 per month should take effect from 20th September 2024 this being the date specified in the notice.

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.