



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

**Case Reference** : **LON/00AJ/MNR/2024/0635**

**Property** : **Annexe R/O  
19 Gregory Road  
Southall  
UB2 4PP**

**Applicant** : **Miss Nighat Jabeen (Tenant)**

**Representative** : **None**

**Respondent** : **J. Sehra (Landlord)**

**Representative** : **Brothers Estates (Agent)**

**Type of Application** : **Section 13(4) Housing Act 1988**

**Tribunal Members** : **N Martindale FRICS**

**Date and venue of Hearing** : **10 Alfred Place London WC1E 7LR**

**Date of Decision** : **17 December 2024**

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**REASONS FOR DECISION**

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**Background**

- 1 The First Tier Tribunal received an application of 2 September 2024 from the tenant of the Property, regarding a notice of increase of rent served by the landlord, under S.13 of the Housing Act 1988 (the Act).
- 2 This corrected, second notice, dated 5 August 2024, proposed a new rent of £1050 per calendar month, with effect from and including 5 September 2024. The passing rent was said to be £850 pcm in the

landlord's Notice. The tenancy is an assured shorthold periodic monthly tenancy. A copy of the last tenancy agreement was provided.

- 3 Directions were issued 22 October 2024. Neither party requested a hearing. The Tribunal does not routinely carry out inspections.
- 4 The Tribunal received an initial application. The Tribunal sent out its standard Reply Form to both landlord and tenant. Neither returned it.
- 5 The Tribunal carefully considered and noted such representations as it received from both parties regarding the location layout size and condition of the Property and other available and let comparable properties in the location.

### **Property**

- 6 The Property appears to be studio building set within the rear garden of the main house at No.19 Gregory Road, Southall. The main house is a 2 storey 1960's brick and tile, mid terrace house. There is a pedestrian access from the public road across the front driveway, shared with the neighbouring house at No.21 to rear of the terrace and the rear garden. The tenant the shares that access and the rear garden with the landlord.
- 7 The Property contains a single living room. There is a small kitchen and small shower room/ wc off. There is no mention of the cost of mains services being included in the rent. The Tribunal concludes that separate charge is made directly by the mains service provider or via the landlord's own supplies to the main house.
- 8 The furniture in the Property and let to the tenant is: Bed frame, mattress, dining table, 2 chairs, wardrobe, washing machine and stove. The tenants describes the electric stove as broken. There is no mention of carpets and curtains being provided by the landlord.
- 9 The Tribunal had regard to Google Streetview of the front of 19 Gregory Road (data capture September 2020). The Tribunal is grateful for such other information as was supplied by the parties when setting the rent.

### **Law**

- 10 In accordance with the terms of S14 of the Housing Act 1988 we are required to determine the rent at which we consider the property might reasonably be expected to let in the open market, by a willing landlord, under an assured tenancy, on the same terms as the actual tenancy; ignoring any increase in value attributable to tenant's improvements and any decrease in value due to the tenant's failure to comply with any terms of the tenancy. Thus the Property falls to be valued as it stands; but assuming that the Property to be in a reasonable internal decorative condition.

## Decision

- 11 Based on the Tribunal's own general knowledge of market rent levels in and around Southall, it determines that the subject Property would let on a normal Assured Shorthold Tenancy (AST) terms, for £1050 per calendar month, fully fitted and in good order. However it appears that carpets and curtains/ blinds are not included and the electric stove the sole means of cooking was defective and is now broken and unusable.
- 12 The Tribunal finds that there was an absence of floor and window coverings with the letting and with the broken cooker, it makes a deduction of £50 pcm to reflect these failings. The market rent is therefore determined at £1000 pcm.
- 13 The new rent will take effect from and including 5 September 2024 the effective start date given in the landlord's corrected, second, Notice. As the Form of Determination dated 17 December 2024 states: **The Landlord is not obliged but, may charge a rent up to but, not in excess of, the figure shown at box 1.**

**Name:** N. Martindale

**Date:** 17 December 2024

### Rights of appeal

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 may have.

If either party is dissatisfied with this decision, they may apply for permission to appeal to the Upper Tribunal (Lands Chamber) on any point of law arising from this Decision.

Prior to making such an appeal, an application must be made, in writing, to this Tribunal for permission to appeal. Any such application must be made within 28 days of the issue of this decision to the person making the application (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013).

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