

FIRST-TIER TRIBUNAL

PROPERTY CHAMBER (RESIDENTIAL

PROPERTY)

Case reference : CHI/21UC/MNR/2024/0045

Property : First Floor Flat, 22 Gore Park,

Eastbourne, East Sussex, BN21 1TQ

Applicant : Emili Daw & Liam Sullivan

Representative : None

Respondent : Renuka Turrell

Hunt Frame Estate Agents

Representative

Referral of Market Rent Sections 13 & 14

Type of application Housing Act 1988

:

Mr C Norman FRICS

Tribunal members : Mr J Reichel BSc MRICS

Mr S Hodges FRICS

Date of Summary

Reasons : 26 December 2024

DECISION

The Tribunal determines a market rent of £900 per calendar month with effect from 26th February 2024

SUMMARY REASONS

Background

- 1. On 8 January 2024 the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £980 per month in place of the existing rent of £850 per month to take effect from 26th February 2024.
- 2. On 18 February 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 tenant and Google Maps.

Evidence

4. The Tribunal has considered the written submissions including photographs provided by the tenant including a copy of an Assured Shorthold Tenancy Agreement ("the Agreement") dated 25 September 2020. The Agreement contains an obligation by the tenant to keep the interior in good repair and condition, excluding items for which the landlord is liable. The landlord did not respond to the appeal.

Determination and Valuation

- 5. Having considered the comparable evidence provided by the tenant 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 in the region of £1,200 per month.
- 6. Such a tenancy would normally include white goods, carpets and curtains/blinds to all be provided by the Landlord, and the property to be in good condition.
- 7. In this case the property is not let in such condition as the windows are in poor condition and there is no double glazing. Further, there is significant damp penetration and other wants of repair. The Tribunal also considered that the tenants repairing obligation should result in a rent adjustment. Accordingly, the Tribunal adjusted the open market rent to reflect these matters.
- 8. The full valuation is shown below:

Full open market rent in good condition

£1,200

Less deductions for:
Window defects/ absence of double glazing)

Damp/wants of repair

)

Tenants repairing obligation) 25% £300

MARKET RENT PAYABLE PER MONTH

£900

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 would be £900 per month.

10. The Tribunal determined that this rent should commence on 26 February 2024 being the date specified in the landlord's 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.