



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

**Case Reference** : **LON/00AE/MNR/2024/0684**

**Property** : **Flat 4 Williamson Heights, 5 South Way, Wembley, London HA9 0JY**

**Tenant** : **Mr Mohsin Hussain & Mrs Sidra Jamil**

**Landlord** : **Peabody Trust**

**Date of Objection** : **11 December 2024**

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

**Tribunal** : **Mr D Jagger MRICS**

**Date of Summary Reasons** : **11 February 2025**

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**DECISION**

**The Tribunal determines a rent of £1,950 per calendar month with effect from 1 November 2024.**

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**SUMMARY REASONS**

## **Background**

1. On the 25 June 2024 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,711 per month in place of the existing rent of £1,564 per month to take effect from 18 August 2024. This proposed rental increase is based upon the Government's maximum percentage increase and this matter is considered at paragraph 9 of these reasons.

2. The Tenant's application is dated 11 December 2024 and served 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. This date was inserted on the application following communication from the Tribunal and it is to be assumed the undated application was received by the Tribunal before the 1 November 2025, being the proposed date of increase by the Landlord.

## **Inspection**

3. The Tribunal did not inspect the property but considered this case on the basis of the papers.

## **Evidence**

4. The Tribunal received submissions from the Tenant which have been carefully considered.

## **Determination and Valuation**

5. Firstly, having consideration of the parties' comparable evidence together with our own expert, general knowledge of rental values in the Dalston area, we consider that the open market rent for the property in its current condition would be **£1,950** per month.

6. The Tribunal have not made an adjustment in relation to condition of the property. In the Reply Form, the Tenant states there is no central heating. However, the EPC Rating for the property is B86 which is above average and confirms there is a community heating and hot water system.

## **Decision**

7. 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 tenancy governed by the relevant clause in the agreement was **£1,950** per calendar month.

8. The Tribunal directs the new rent of **£1,950** to take effect on the 1 November 2024. This being the date set out in the Landlord's Notice of Increase.

9. It is often the case that market rents are in excess of those that maybe charged by social landlord's as it is a significant part of their remit to provide affordable housing. As such depending on the type of tenancy agreement their calculation of rent is either at a percentage of market rent or by way of index. Comparison is made with the open market rather than limited to other properties which are offered by social housing providers. **It is assumed that the landlord will by usual convention of social landlord's not seek to increase the rent proposed in its original notice as a result of this determination.**

**Chairman Duncan Jagger MRICS      11 February 2025**

### **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 subsequent application for permission to appeal should be made on Form RP PTA.