



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

Case Reference : **LON/00AY/MNR/2024/0700**

Property : **63a Brixton Water Lane, London, SW2 1PH**

Tenant : **Mr Ben Gaskell**

Landlord : **Mr Adrian Worrall**

Date of Application : **28 October 2024**

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

Tribunal : **Mr O Dowty MRICS
Mr C Piarroux**

**Date of Summary
Reasons** : **31 January 2025**

DECISION

The Tribunal determines a rent of £1,071.94 per calendar month (exclusive of Council Tax) with effect from 2 November 2024.

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SUMMARY REASONS

Background

1. On 27 September 2024 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,395 per month in place of the existing rent of £1,045 to take effect from 2 November 2024.

2. On 28 October 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 the same day.

Inspection

3. The Tribunal has carried out an inspection of the property on 30 January 2025.

Evidence

4. The Tribunal has consideration of the written submissions provided by the Tenant and the Landlord.

Determination and Valuation

5. Having consideration of the 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, including all of the bills paid, would be in the region of £1,300 per calendar month. From this level of rent we have made adjustments in relation to:

- The condition of the property and the tiled flooring of the main rooms
- The basic nature of the kitchenette and bathroom fixtures and fittings
- The removal of Council Tax from the rent (as we are required to determine a rent exclusive of Council Tax)

6. The full valuation is shown below:

Hypothetical Market Rent	£1,300	Per Month
LESS 10% Condition, tiled flooring	-£130	
LESS 5% basic bathroom and kitchen	-£65	
Total	£1,105	
SAY	£1,100	Per Month
LESS Council Tax	-£28.06	
Rent excluding Council Tax	£1,071.94	Per Month

7. The Tribunal arrives at a rent of £1,100 including Council Tax. or £1,071.94 exclusive of Council Tax

Decision

8. The Tribunal therefore determined that the rent at which the subject property might reasonably be expected to be let, inclusive of the bills paid as part of the tenancy by the landlord other than Council Tax, in the open market by a willing Landlord under an assured tenancy was £1,071.94 per calendar month.

9. The Tribunal directs the new rent of £1,071.94 per month to take effect on 2 November 2024; this being the date as set out in the Landlord's Notice of Increase.

10. We note for clarity that we have arrived at a rental figure which excludes Council Tax – as we are required to do by Section 14(5) of the Housing Act 1988. The total figure including those charges would, according to the figures provided by the landlord, presently be £1,100 per calendar month.

Chairman: Mr O Dowty MRICS

Date: 31 January 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 request for full reasons should be made within a month. Any subsequent application for permission to appeal should be made on Form RP PTA.