



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

Case Reference : **LON/00BK/MDR/2024/0604**

Property : **20 Randolph Avenue, Maida Vale, London,
W9 1BL**

Tenant : **Vera Lucia Oliveira Reis**

Landlord : **Amin Mehra**

Date of Application : **30 September 2024**

Type of Application : **Market Rent section 22 of the Housing Act
1988**

Tribunal Member : **Mr A. Parkinson MRICS**

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

DECISION

The Tribunal determines a rent of £4,500 per calendar month with effect from 30 September 2024.

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SUMMARY REASONS

Background

1. On 30 September 2024 the Tenant made an application under Section 22(1) of the Housing Act 1988 relating to 30 Randolph Avenue, London, W9 1BL.
2. The tenancy commenced on 01 September 2024 at a rent of £5,500 per calendar month.

Inspection

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

Evidence

4. The Tribunal has considered the written submissions provided by the Tenant. There were no written submissions from the Landlord.

The Law

5. The law is found in section 22 of the Housing Act 1988, which is annexed to this decision.

Determination [and valuation]

6. Having consideration of the evidence submitted by the Tenant and our expert, general knowledge and experience. The Tribunal is satisfied that there are a sufficient number of similar properties in the locality let on assured tenancies and, in the Tribunal's opinion the rent that the Landlord could reasonably expect to achieve is in the region of £4,500 per calendar month.

Decision

7. The Tribunal therefore directs a new rent of **£4,500 per calendar month** to take effect from the date of application, 30 September 2024.

Tribunal Member: Mr A. Parkinson

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.

ANNEX

Housing Act 1988

22 Reference of excessive rents to appropriate tribunal.

(1) Subject to section 23 and subsection (2) below, the tenant under an assured shorthold tenancy may make an application in the prescribed form to the appropriate tribunal for a determination of the rent which, in the appropriate tribunal's opinion, the landlord might reasonably be expected to obtain under the assured shorthold tenancy.

(2) No application may be made under this section if—

(a) the rent payable under the tenancy is a rent previously determined under this section;

(aa) the tenancy is one to which section 19A above applies and more than six months have elapsed since the beginning of the tenancy or, in the case of a replacement tenancy, since the beginning of the original tenancy; or

(b) the tenancy is an assured shorthold tenancy falling within subsection (4) of section 20 above (and, accordingly, is one in respect of which notice need not have been served as mentioned in subsection (2) of that section).

(3) Where an application is made to the appropriate tribunal under subsection (1) above with respect to the rent under an assured shorthold tenancy, the appropriate tribunal shall not make such a determination as is referred to in that subsection unless they consider—

(a) that there is a sufficient number of similar dwelling-houses in the locality let on assured tenancies (whether shorthold or not); and

(b) that the rent payable under the assured shorthold tenancy in question is significantly higher than the rent which the landlord might reasonably be expected to be able to obtain under the tenancy, having regard to the level of rents payable under the tenancies referred to in paragraph (a) above.

(4) Where, on an application under this section, the appropriate tribunal make a determination of a rent for an assured shorthold tenancy—

(a) the determination shall have effect from such date as the appropriate tribunal may direct, not being earlier than the date of the application;

(b) if, at any time on or after the determination takes effect, the rent which, apart from this paragraph, would be payable under the tenancy exceeds the rent so determined, the excess shall be irrecoverable from the tenant; and

(c) no notice may be served under section 13(2) above with respect to a tenancy of the dwelling-house in question until after the first anniversary of the date on which the determination takes effect.

(5) Subsections (4), (5) and (8) of section 14 above apply in relation to a determination of rent under this section as they apply in relation to a determination under that section and, accordingly, where subsection (5) of that section applies, any reference in subsection (4)(b) above to rent is a reference to rent exclusive of the amount attributable to rates.