



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

Case Reference : **LON/00AM/MNR/2024/0625**

Property : **Flat 1 54 Boleyn Road, Dalston,
London N16 8JL**

Tenant : **Ms Maiya Rahman**

Landlord : **Peabody Trust**

Date of Objection : **17 August 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**

DECISION

**The Tribunal determines a rent of £1,700 per calendar month with
effect from 18 August 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 £1,418 per month in place of the existing rent of £1,296 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 10 of these reasons.
2. The Tenant's application is dated 17 August 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.
3. In a letter dated 9 January 2025, the Tribunal wrote to the parties stating *"The application was not received at this office before the date when the new rent specified in the notice of increase was to take effect. The Notice of Increase specifies the new rent start date as 18th August 2024 and the application was received 21st August 2024. A Tribunal may therefore decide that the application is out of time and that it does not have jurisdiction to consider the rent"*. The Tenants application is signed and dated 17 August 2024 and therefore the Tribunal determines that it does have jurisdiction to consider this matter.

Inspection

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

Evidence

5. The Tribunal did not receive any submissions from the parties.

Determination and Valuation

6. 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 **£1,700** per month.
7. The Tribunal have not made an adjustment in relation to condition of the property due to a lack of evidence provided by the parties.

Decision

8. 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 **£1,700** per calendar month.

9. The Tribunal directs the new rent of **£1,700** to take effect on the 18 August 2024. This being the date set out in the Landlord's Notice of Increase.

10. 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.