



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

**Case Reference** : **HAV/43UB/MNR/2024/0640**

**Property** : **20 Vine Road  
East Molesey  
Surrey  
KT8 9LB**

**Applicant Tenants** : **Mr S H Houssaini and Mrs P J Richter**

**Representative** : **None**

**Respondent Landlords** : **Mr R D Muir and Mrs K J L Muir**

**Representative** : **Mr D Bolster  
Peacock & Co.**

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

**Tribunal Members** : **Mr J G G Wilson MRICS FCI Arb  
Ms C D Barton MRICS  
DDJ D Cowan**

**Date of Application** : **4 October 2024**

**Date of Decision** : **21 January 2025**

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**DECISION**

**The Tribunal determines a rent of £6,775 (Six Thousand, Seven Hundred and Seventy-Five Pounds) per Calendar Month with effect from 5 October 2024.**

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## **SUMMARY REASONS**

### **Background**

1. On 5 September 2024 the Landlords' Agent served a notice (dated 4 September 2024) under Section 13(2) of the Housing Act 1988 which proposed a new rent of £8,820 per month in place of the existing rent of £6,000 per month to take effect from 5 October 2024.
2. On 4 October 2024 under Section 13(4) of the Housing Act 1988, the Tenants referred the Landlords' 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 parties and information freely available on the internet.

### **Evidence**

4. The Tribunal has considered the Rent Appeal Statement ('the statement') submitted by Mr and Mrs Muir following the Tribunal's Directions dated 29 November 2024 and Mr Houssaini's submissions in his application. In addition, the Tribunal has considered the case bundle also.

### **Determination and Valuation**

5. The Tribunal has considered the comparable lettings evidence provided by Mr and Mrs Muir in their statement. This includes Attachments 4A and 4B – an Estate Agent Rental Appraisal (Hamptons) and estate Agent Rental Data (also Hamptons). Thereafter Mr and Mrs Muir provide Attachment 5, which is in four parts 5A to 5D inclusive; and Attachment 6 – calculation of service cost.
6. With respect to Attachment 6, the Tribunal is obliged to determine that the tenancy agreement does not provide for the Landlords to include a sum for 'cost of discretionary services provided at property.' However, note our comments below with respect to the maintenance of the garden.
7. Following the above, the contents of the bundle and of its own expert, general knowledge of rental values in the area, the Tribunal determines that the market rent for the property in good tenable condition would be £6,500 (Six Thousand Five Hundred Pounds) Per Calendar Month.
8. The property is in good condition with associated fixtures, fittings, carpets, curtains and white goods, all provided by the Landlord.
9. In addition, 'The Landlord will provide a gardener to the Tenant for the duration of the Tenancy...' Accordingly, an adjustment to the market rent is necessary.

10. The Tribunal's valuation is shown below:

Market rent (£ PCM)	£6,500
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Plus, addition (£ PCM) for:

Provision of a gardener	<u>£275</u>
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Market rent (per calendar month)	£6,775
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11. The Tribunal therefore decided that the rent at which the property might reasonably be expected to be let in the open market by a willing Landlord under the terms of this assured tenancy was £6,775 (Six Thousand, Seven Hundred and Seventy-Five Pounds) per Calendar Month.
12. The Tenants made no representation that the starting date for the new rent specified in the Landlord's notice would cause them undue hardship.
13. Accordingly, the Tribunal directs that the new rent of £6,775 Per Calendar Month should take effect from 5 October 2024. This being the date specified in the Landlord's Notice proposing a new rent.

#### **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.