



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

Case Reference : **LON/00AR/MNR/2025/0613**

Property : **London,
IG1 1 LG**

Tenant : **Shaista Tayyab**

Landlord : **B & J Sharman Properties**

Date of Objection : **29 November 2024**

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

Tribunal : **Judge Robert Latham
Alison Flynn MA MRICS**

**Date of Summary
Reasons** : **20 March 2025**

DECISION

**The Tribunal determines a market rent of £1,400 per month with
effect from 28 February 2025.**

SUMMARY REASONS

Background

1. On 21 October 2024, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,550 in place of the existing rent of £1,150 per month to take effect from 30 November 2024
2. On 29 November 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.

Evidence

4. On 5 February 2025, the Tribunal gave Directions. The Landlord requested an inspection. Neither party requested an oral hearing.
5. The Tribunal attended to inspect the property at 11.50 am on 20 March. We were met by Dovid Sharman on behalf of the landlord and Mohsin Iqbal from the managing agents. The Tenant did not admit us. She answered "wait a moment", from inside the flat, but did not then open the door. We tried to telephone her, but her mobile was switched off. We waited for 15 minutes.
6. The Landlord has provided a video which was taken shortly before the flat was let in May 2022. This is a one bedroom flat on the ground floor of a two storey terrace property with four flats. Flat 1 is on one side of the ground floor. There is a living room with open plan kitchen. The bathroom only has a shower unit. There is central heating and double glazed windows. The flat was let unfurnished. There is off street parking. There is shared use of a rear garden. The layout of the flat is not entirely satisfactory.
7. Pursuant to the Directions, both parties have returned Reply Forms and written submissions. The Tenant has stressed her limited means. However, these are not relevant to the market rent which we are required to assess, The Landlord has provided a number of comparables in the range of £1,500 to £1,700. Both parties have raised a number of issues which are not relevant to the rent which we are required to assess.

Determination and Valuation

8. Having regard to the comparables supplied by the Landlord and own expert knowledge of rental values in the area, we consider that the open market rent for the property in good tenable condition would be in the region of £1,400. We have not been able to inspect the flat. We are therefore not satisfied that we should make any deduction for disrepair.
9. We note that the Tenant is in receipt of universal credit which will not cover a rent in excess of £1,000 per month. She states that she is suffering from Parkinson's disease. She describes herself as a "single, old, frail, vulnerable and disable lady". We consider that it would cause undue hardship were we to backdate the increase to 30 November 2024, namely the date specified in the

Notice of Increase. The increase will therefore be payable from 28 February 2025.

Decision

10. The Tribunal determines that the rent at which the subject flat might reasonably be expected to be let in the open market by a willing Landlord under an assured tenancy in its current condition is £1,400 per month. The Tribunal directs the new rent shall take effect from 28 February 2025.

Judge Robert Latham
20 March 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.