



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

Case Reference : **GB/LON/00AB/MNR/2024/0680**

Property : **2 Berengers Court, Chadwell
Heath, Romford, RM6 6HY**

Tenants : **Chibueze Nebo**

Landlord : **Akomea Siaw Frimpong**

Date of Objection : **7th October 2024**

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

Tribunal : **Mr. A Parkinson MRICS
Mr. L Packer**

Date of Reasons : **28th March 2025**

DECISION

**The Tribunal determines a rent of £900 per calendar month with
effect from 14th October 2024.**

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REASONS

Background

1. On 12 September 2024 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,025 in place of the existing rent of £925 to take effect from 14 October 2024.
2. On 7 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 7 October 2024.
3. Directions were issued on 27 November 2024 by the Tribunal.
4. The parties were invited to submit any relevant information and submissions. The Tenant submitted a reply form and additional evidence to support his case. The Landlord submitted evidence by way of a witness statement entitled 'brief response'.
5. In their reply form the Tenant requested that the property be inspected. Accordingly the property was inspected by the Tribunal on 24 March 2025.
6. In their reply form, the Tenant stated that they did not require a hearing to be held in this matter. The Landlord also did not request a hearing. Accordingly, the matter was dealt with by the Tribunal on the basis of the papers following the inspection.
7. The property benefits from central heating and double glazing, floor and window coverings, white goods and parking. The Landlord is responsible for all repairs.

Submissions

8. The Tenant provided a completed reply form setting out the layout and features of the property. The Tenant also provided links to eight flat share listings on Zoopla. The Tenant states that all listings were for asking rent of £750 to £900 per calendar month but six of the listings had expired and so could not be verified by the Tribunal.
9. In the Landlord's submission, he stated that he does not consider the listings provided by the Tenant to be comparable listings. The Landlord set out his justification for the rent in his 'brief response' but did not provide any comparable evidence.

The Inspection

10. The Tribunal inspected the property on 24 March 2025, accompanied by the Tenant and the Landlord.

11. The property is three-storey terraced house. There is a kitchen on the ground floor which is shared by all tenants. The Tenant's room is located at the second floor of the property and there is a shower room also on the second floor which the Tenant has sole use of.
12. The Tenant does not have access to any shared reception rooms, beyond the kitchen, or any shared gardens.
13. The bedroom is a large double in good overall condition with furniture provided by the Landlord including two wardrobes, a coffee table, TV stand, sofa and table and two chairs. The shared kitchen is in fair and usable condition.

The Law

14. The rules governing a determination of market rent are set out in section 14 of the Housing Act 1988. In particular, the tribunal is to determine the rent for each flat at which the property might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy, subject to disregards in relation to the nature of the tenancy (i.e. it being granted to a "sitting tenant") and any increase or reduction in the value due to the tenant's improvements or failure to comply with the terms of the tenancy.
15. In the absence of any evidence to the contrary, the tribunal has proceeded on the basis that the Landlord is responsible for all repairs, internal and external.

Determination and Valuation

16. In the first instance the Tribunal determined what rent the landlord could reasonably be expected to obtain for the subject property in the open market if it were let on the determination date in the condition that is considered usual for such an open market letting. The Tribunal considered the value of the property in light of its local knowledge and experience with regard to the submissions of the Landlord and Tenant.
17. 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 subject property in good tenantable condition would be in the region of £925 per calendar month, inclusive of bills.
18. A notional adjustment of £25 was made in relation to council tax and water rates. It was necessary for the Tribunal to estimate the Tenant's contribution to council tax and water rates in the absence of any evidence to the contrary.
18. The Tribunal determines a rent of £900 (exclusive of council tax and water rates), per calendar month.

19. The Tribunal directs the new rent of £900 per calendar month to take effect on 14 October 2024; this being the date set out in the Landlord's Notice of Increase.
20. For clarity we have arrived at a rental figure which excludes Council Tax and Water Rates – as we are required to do by Section 14(5) of the Housing Act 1988. The total figure including those charges would be £925 per calendar month

Chairman: Mr. A. Parkinson

Date: 28 March 2025

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28 day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).