



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

<b>Case Reference</b>	:	<b>CAM/00MA/MNR/2025/0617</b>
<b>Property</b>	:	<b>63 Berkshire Court, Bracknell, RG12 1QH</b>
<b>Applicant</b>	:	<b>Amina Hersi (Tenant)</b>
<b>Representative</b>	:	<b>None</b>
<b>Respondent</b>	:	<b>Urbrix Ltd (Landlord)</b>
<b>Representative</b>	:	<b>None</b>
<b>Type of Application</b>	:	<b>S.13 Housing Act 1988 Determination of a new rent</b>
<b>Tribunal Members</b>	:	<b>Mr N. Martindale FRICS</b>
<b>Date and venue of Meeting</b>	:	<b>27 March 2025 First Tier Tribunal (Eastern) County Court Cambridge CB1 1BA</b>
<b>Date of Decision</b>	:	<b>27 March 2025</b>

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**REASONS FOR DECISION**

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**Background**

- 1 The First Tier Tribunal received an application dated 3 January 2025, before the effective start date of the new rent sought, from tenant of the Property, regarding a notice of increase of rent served by the landlord, under S.13 of the Housing Act 1988 (the Act).
- 2 The notice dated 15 October 2024, proposed a new rent of £1100 per calendar month exclusive, with effect from and including 22 January 2025, the date rent was due for payment.

- 3 The tenancy is an assured periodic calendar monthly tenancy and a copy was provided, now expired, holding over.
- 4 The rent payable from 19 January 2020 and since, on 22<sup>nd</sup> each month up to and including 21 January 2025. was £855 per calendar month.
- 5 Representations from the tenant included reference to an earlier S.13 notice now considered invalid. This decision relates to the later notice only. Any matter of jurisdiction for the Tribunal to determine the new rent on this notice, would fall to the County Court to determine on application of either party.

### **Directions**

- 6 Directions, dated 27 January 2025, for the progression of the case, were issued by Legal Officer Laura Lawless. Neither party asked for a hearing.

### **Inspection**

- 7 There was no inspection. The Property is part of a larger converted office block dating from the 1980's. The conversion appeared to date post 2000. It is located in an area dominated by modern commercial sheds and low rise office buildings in this part of Bracknell. (Google Streetview July 2023). There is some communal off-road parking but, appears not to be allocated to individual flats. There are on road parking restrictions.
- 8 The block appears to be of traditional brick faced construction on 3 levels, the top level providing residential accommodation within the mansard double pitched roof, with large dormer windows. These features appear to date from the original building as an office. The Property is at first floor level. There is a lift.
- 9 The Property has a bedroom, bathroom/WC; living room/kitchen with double glazing and under floor heating. Landlord's laminate floor finishes, white goods and tenant's curtains. No landlord furniture.

### **Tenants' and Landlord's Representations**

- 10 The tenant provided written submissions via the Application Form and the completed standard Reply Form. There had been a leak from the bedroom window at the Property, leaving minor damp and mould stains to the adjacent window reveal and ceiling. The seal on the double glazing appeared compromised. The tenant provided 3 monochrome pictures of this.
- 11 The tenant provided a copy of a surveyor's report on the Property dated 31 July 2024. It identified the window issues above; the excessive gap below the main fire door to the flat; the lack of effective mechanical

ventilation to the bathroom/wc already without a window; a loose heat sensor wall switch/ control. There were some 26 monochrome photographs showing these issues. The surveyor estimated that a period of about 3 weeks would be required for remedy of all works identified, with the tenant temporarily decanted.

- 12 The landlord represented the Property as essentially in good order. The landlord referred to similar small one bedroom flats, 5No., in the same block which were said to have let in a period from Summer 2024 to Winter 2025, at between £1075 to £1150 pcm. Records provided by the landlord showed in the Urbrix report on rents, that they had generally been let within 2 months of so, of being offered.
- 13 The Tribunal is grateful for such information as was provided by both parties in the application and in the standard Reply Forms and supplementary survey and photographs of the Property.

### **Law**

- 14 In accordance with the terms of S.14 of the Act the Tribunal is required to determine the rent at which we consider the property might reasonably be expected to let in the open market, by a willing landlord, under an assured tenancy, on the same terms as the actual tenancy; ignoring any increase in value attributable to tenant's improvements and any decrease in value due to the tenant's failure to comply with any terms of the tenancy. Thus the Property falls to be valued as it stands; but assuming that the Property to be in a reasonable internal decorative condition.

### **Decision**

- 15 From the Tribunal's own general knowledge of market rent levels in Bracknell, it determines that the subject property would let on normal Assured Shorthold Tenancy (AST) terms, for £1100 per calendar month, fully fitted and in good order.
- 16 From the representations however; the Tribunal found that the Property was still slightly damaged from the water leak, the defective window seal and the poor ventilation to the bathroom, sufficiently to affect the rental value on this occasion. For these minor shortcomings the Tribunal makes a deduction of £50 pcm. The new rent will therefore be £1050 pcm with effect from 22 January 2025.
- 17 Although the landlord is not obliged to charge this rent and may charge a significantly lower rent as a result of their own choice, policy, or governmental regulation; they may not charge more than this figure, nor charge it from an earlier date.

**Chairman N Martindale FRICS**

**Date 27 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 either party is dissatisfied with this decision, they may apply for permission to appeal to the Upper Tribunal (Lands Chamber) on any point of law arising from this Decision.

Prior to making such an appeal, an application must be made, in writing, to this Tribunal for permission to appeal. Any such application must be made within 28 days of the issue of this decision to the person making the application (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013).

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).

## Notice of the Tribunal Decision and Register of Rents under Assured Periodic Tenancies (Section 14 Determination)

Housing Act 1988 Section 14

### Address of Premises

63 Berkshire Court  
Bracknell  
RG12 1QH

### The Tribunal members were

Mr Neil Martindale FRICS

### Landlord

Urbrix Ltd

### Address

### Tenant

Amina Hersi

1. The rent is:£

1050

Per

Calendar  
month

(excluding water rates and council  
tax but including any amounts in  
paras 3)

2. The date the decision takes effect is:

22 January 2025

\*3. The amount included for services is/is  
negligible/not applicable

nil

Per

\*4. Service charges are variable and are not included

5. Date assured tenancy commenced

23 January 2020 (rent wef 22nd pcm)

6. Length of the term or rental period

periodic calendar monthly

7. Allocation of liability for repairs

per tenancy

8. Furniture provided by landlord or superior landlord

None.

### 9. Description of premises

Post 2000 conversion of former 1980's office block 3 levels in an established commercial modern shed/ office district, to residential flats. Double pitched roof and mansard to top floor. Rendered/ brick finish, double glazed windows, underfloor electric heat. Block front exterior fair to good condition. (Google Streetview July 2023). Landlord's laminate, white goods. Accommodation first floor flat: bedroom, living room/ kitchen, bath/WC:. Tenant's provided curtains. Minor damp mould to ceiling/ bed window. No mechanical vent to bath/wc.

Chairman

Neil Martindale

Date of Decision

27 March 2025