



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

**Case Reference** : **FR/LON/00AH/MNR/2024/0643**

**Hearing Type** : **No Hearing**

**Property** : **79 Watcombe Road, London, SE25 4XA**

**Applicant** : **Susan Jane Lyttle (Tenant)**

**Representative** : **In person**

**Respondent** : **Grainger Plc Bradford Property Trust Limited (Landlord)**

**Representative** : **In person**

**Date of Objection** : **12 September 2024**

**Type of Application** : **Referral in Respect of Market Rent Under Section 13 of the Housing Act 1988**

**Tribunal Members** : **J. A. Naylor FRICS FIRPM  
Valuer Chairman**

**Mr Owen Miller**

**Date of Hearing** : **N/A**

**Date of Inspection** : **31 March 2025**

**Date of Full Reasons** : **7 April 2025**

**STATEMENT OF FULL REASONS ON AN APPLICATION FOR  
DETERMINATION OF A MARKET RENT UNDER S. 13 AND 14 OF THE  
HOUSING ACT 1988.**

## **REASONS**

### **Background**

1. On 1 August 2024 the landlord served a Notice under Section 13(2) of the Housing Act 1988 proposing an increase in the rent of the above property from the passing rent of £250.00 per week to £265.00 per week.
2. On 12<sup>th</sup> September 2024 the tenant made an application to the Tribunal for the determination of a market rent.
3. By way of a letter dated 5 February 2025, the Tribunal issued directions. These required the landlord to provide details of evidence on which they wished to rely by way of reply by 26 February 2025. The tenant was directed to do the same by 12 March 2025 and the landlord was given until 19 March 2025 for his response thereto.
4. The tenant took the opportunity to make submissions.
5. In consideration of the Market rental value of the subject property, the Tribunal has taken into consideration all documentation before it, including various letters and the any reply forms returned by the parties.
6. In the tenant's Reply form the tenant states that they would like to have an inspection of the property undertaken by the Tribunal, but they do not require a hearing.
7. The tenant provides details of the accommodation of the property, plus measurements, and details the accommodation as 2 living rooms, 3 bedrooms, kitchen and bathroom. The tenant states that the property does not have central heating and details disrepair to the exterior fencing, evidence of damp beneath the decoration falling plaster and a general lack of modernisation.
8. They state that they have improved the property by way of fixing a step.
9. No submissions or reply form were received from the Landlord.
10. On 31 March 2025, on the basis of paper submissions and without a hearing, the Tribunal determined the Market rent of the above property at £258.71 per week.

### **Hardship**

11. The Tribunal received no submissions on hardship.

### **Inspection**

12. The Tribunal attended the property to undertake an inspection on 31 March 2025.
13. It was apparent that the property was originally constructed as a single residential dwellinghouse.
14. The accommodation comprises:  
  
Ground floor: 2 reception rooms, a kitchen and bathroom/WC.  
  
First floor: 3 bedrooms.  
  
Externally: Gardens front and rear with no garage or parking space.
15. During the inspection, the tenant was present, but the landlord did not attend.
16. On arrival the Tribunal notified the parties that they should be provided with access to all possible areas of the property but that she could not provide any additional evidence nor engage in conversation about the property nor the rental value thereof.
17. All rooms were accessible.
18. During the course of the inspection, it was apparent that the property has had little modernisation or maintenance for a good number of years.
19. The property requires thoroughly upgrading, decorating and modernisation to bring it to a standard average for a house let on the current market by way of an assured shorthold tenancy.
20. In addition to the above, the Tribunal made note of the fact that the kitchen and bathroom are fairly small, but that the bathroom and WC are only accessible through the kitchen, into an extension constructed at the rear. This is less attractive than a first floor bathroom, a matter that the Tribunal has taken into account in assessing the open market rental value of the property before other deductions.

### **The Law**

21. When determining a market rent in accordance with the Housing Act 1988 Section 13 regard must be had to all of the circumstances (other than personal circumstances) including the age, location and state of repair of the property, matters contained within the rent, repairing obligations, etc. This means that issues such as the tenant's ability to pay the rent or bills associated with the property are not a consideration for the tribunal in assessing the rent.

### **Valuation**

22. Following consideration of the written and photographic submissions given by both parties and taking into account the Tribunal's inspection and using its own knowledge and experience of the rental market in South Norwood, the Tribunal finds that the market rental value of the property, if it was in good condition, would be £507.58 per week.
23. Taking into account the lack of modernisation and the general disrepair, the Tribunal considers it necessary to adjust that market rental value to reflect specifically the following:
- i) There is no central heating within the property.
  - ii) There is inadequate electrical installation by modern standards.
  - iii) The kitchen is inadequate by modern standards.
  - iv) The bathroom is inadequate by modern standards.
  - v) There is extensive evidence of penetrating damp and rot and defective plaster throughout the property.
24. The property is in dire need of decoration internally and externally and carpets and curtains are now at the point where they require replacement.
25. Taking these and other more general factors into consideration, the Tribunal finds that it is necessary to make a 49% deduction in the market rental value of the property to reflect its condition and lack of modernisation.

### **Valuation Calculation**

26. Open market rent £ 507.58 per month

Deduction for adjustments detailed above 49% = £ 248.87 per month

**Adjusted rent £ 258.71 per month**

The Tribunal therefore determines that the market rental value of the property should be set at a figure of £258.71 per week.

### **Hardship**

27. No submissions on hardship were received.

**Chairman:** J. A. Naylor FRICS FIRPM

**Valuer Chairman**

**Date:** 7 April 2025

## **ANNEX OF RIGHTS FOR MARKET RENTS**

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 might 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 this 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. Any appeal in respect of the Housing Act 1988 should be on a point of law.

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