



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

Case Reference	:	CAM/00MC/MNR/2025/0637
Property	:	16 Managua Close Reading RG4 5LX
Applicants	:	Tannika Robb (Tenant)
Representative	:	None
Respondent	:	Peabody (Landlord)
Representative	:	None
Type of Application	:	S.13 Housing Act 1988 Determination of a new rent
Tribunal	:	Mr N. Martindale FRICS
Date and venue of Meeting	:	8 May 2025 First Tier Tribunal (Eastern) County Court Cambridge CB1 1BA
Date of Decision	:	8 May 2025

REASONS FOR DECISION

Background

- 1 The First Tier Tribunal received an application 6 March 2025, before the effective start date 7 April 2025, of the new rent sought. It was from the 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 3 March 2025, proposed a new rent of £205.17 per week exclusive, with effect from and including 7 April 2025. This rent does not include other services.

- 3 The tenancy is assumed to be an assured periodic weekly tenancy, which originally began at the Property by way of a tenancy transfer by the applicant tenant, October 2018. No copy of the original or current tenancy was provided, as it was reported by the tenant that there was none.
- 4 At paragraph 3 of the standard Application Form the tenant states: “*I moved in, in October 2018 using an exchange from a council property, as far as I was aware this was a like for like tenancy however I have been paying 25% higher than all of my neighbours in exactly the same homes.*”
- 5 The Tribunal does not determine the jurisdiction of S.13 Notice referrals but, notes that there is the possibility that the former Council tenancy to which the tenant refers may have been a Secure tenancy as issued by the Council her former landlord, rather than what has been taken here by the landlord, to be an Assured tenancy. If so, then the current apparently oral tenancy here may not be subject to the S.13/ S.14 rent review process which only applies to Assured tenancies. Jurisdiction would be a matter for the County Court to decide after this determination, on application by either party there. For the present the Tribunal determines a rent on the basis that it is an Assured tenancy.
- 6 The rent up to and including 6 April was £199.78 per week.

Directions

- 7 Directions, dated 17 March 2025, for the progression of the case, were issued by Legal Officer Laura Lawless. Neither party sought a hearing.

Inspection

- 8 There was no inspection. The Property is a 2 level mid terraced house dating from around 1980. It has a small front yard/ parking space off road and a rear garden. (Google Streetview November 2022). There is a little on-street parking.
- 9 The house appears to be traditional construction, brick fair faced wall to front elevation. The main roof is double pitched finished to concrete single lap tile with a short mono pitch roofed front porch. Set within a street of very similar, houses, mainly two and four bedroom, all dating from around 1980.
- 10 The Property has 2 bedrooms and bathroom/WC to first floor, and ground floor living room, kitchen, WC. Central heating, with full double glazing. Floor finishes are all normally provided by the tenant as with the white goods. There is no landlord provided furniture.

Tenants' and Landlord's Representations

- 11 The tenant provided written submissions via the Application Form and the completed standard Reply Form confirming the accommodation and basic terms of the lease. It was unfortunately in a much reduced format, making it very hard to read.
- 12 There were also some 4No. monochrome photographs each showing a short terrace of houses, containing it is understood the Property. They appeared to be of the front and rear of two short terraces. In the Reply Form the tenant made the point that the same landlord appeared to charge markedly lower rents for identical homes in the same terrace as the Property. The tenant of the Property appeared to being asked by the landlord to pay a rent slightly higher than the same rent as a 4 bedroom end terrace, £194 pw let by the same landlord. Neighbours of the 2 bedroom houses like hers, were only billed for £154 pw.
- 13 The tenant referred to her need to have to chase the landlord to effect repairs to the Property. Most references were to historic minor repairs being done very slowly, ineffectively, or not at all. The tenant particularly objects to paying the higher rent than her neighbours with this low level of service from the landlord.
- 14 The landlord did not respond to the Tribunal.
- 15 The Tribunal is grateful for such information as was provided by both parties in the application and in the standard Reply Forms.

Law

- 16 In accordance with the terms of S.14 of the Act we are 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

- 17 From the Tribunal's own general knowledge of market rent levels in Reading it determines that the subject Property would let on normal Assured Shorthold Tenancy (AST) terms, for £300 per week, fully fitted and in good order. The below market rents levied by the landlord for the Property and for the neighbouring houses are a matter for this Housing Association landlord alone. The private sector market tenants pay considerably higher rents than the rent passing or proposed. The Tribunal has to determine a market rent, only.

- 18 From the representations the Tribunal found that the tenant had to provide carpets curtains and white goods. This drawback justified a small reduction in this figure of £15 per week. The new rent will therefore be £285 per week with effect from 7 April 2025.
- 19 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.

Chairman N Martindale FRICS

Date 8 May 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

16 Managua Close
Reading
RG4 5LX

The Tribunal members were

Mr Neil Martindale FRICS

Landlord

Peabody

Address***Tenant***

Tannika Robb

1. The rent is: £ 285 *Per* week (excluding water rates and council tax but including any amounts in paras 3)

2. The date the decision takes effect is:

7 April 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

October 2018 (by tenancy exchange)

6. Length of the term or rental period

Periodic weekly

7. Allocation of liability for repairs

per tenancy

8. Furniture provided by landlord or superior landlord

None

9. Description of premises

1980's mid terraced house in a small terrace of very similar size age and style. Small rear garden, front driveway. Double pitched main roof & porch mono roof, single lap tiled – walls brick fair faced. Accom. on 2 levels: first floor 2 bedrooms and bathroom, ground living room, kitchen. External good condition. (Google Streetview November 2022) Assumed Housing Association landlord's double glazing and full central heating. Tenants White Goods, C&C, .

Chairman

**Neil Martindale
FRICS**

Date of Decision

8 May 2025