



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

**Case Reference** : **LON/OOAU/MNR/2024/0008**

**Property** : **6A Canonbury Road, Islington, N1  
2HS**

**Tenant** : **Ms Claudia Black**

**Landlord** : **Peabody Housing Association**

**Landlord's  
representative** : **none**

**Date of Objection** : **10 November 2024**

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

**Tribunal** : **R Waterhouse FRICS  
L Packer**

**Date of Full Reasons** : **24 April 2025**

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**DECISION**

**The Tribunal determines a rent of £235.38.00 per week month with  
effect from 24 April 2025.**

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**Full REASONS**

**The rent determined represents the maximum rent the landlord could charge, the landlord may consider charging a lower amount.**

## **Background**

1. On **9 April 2024** the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of **£142.78 per week in** place of the existing rent of **£132.57 per week to take effect from 03 June 2024.**
2. An application dated **9 May 2024** was made 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.
3. The tribunal on the 19 July 2024 wrote to the parties querying the jurisdiction of the tribunal in addressing the issue.
4. The tribunal heard on 4 October 2024, by video platform the preliminary issue of the jurisdiction, with the decision issued on the 7 October 2025 determining that the tribunal did have jurisdiction to consider the matter.
5. Directions dated 3 April 2025 were sent to the parties identifying the date of the hearing 24 April 2025 at 10:00am and details of an inspection to be carried out on the same day.

## **Inspection**

6. The Tribunal did inspect the property. The flat is located on the lower ground and ground floor of an early Victorian terraced house. Access to the flat is through metal gates to a communal area from which the door to the flat is found, as is the door for the flat above. On entering the flat off the hall area is the kitchen which is located at the rear of the property. The kitchen has a sash window single glazed overlooking the garden. The kitchen has units supplied by the landlord. There is a considerable amount of black mould on the interior face of the external wall.
7. From the ground floor landing there is a short flight of wood stairs to a landing. The layout of the flat is inconvenient. The kitchen and living room are divided between lower ground and ground floors, separated by narrow, steep stairs. The landing divides and there is one further set of wooden stairs to a living room on the lower ground floor. This room also has a radiator, and as on the lower ground, with a single glazed sash window. A number of mice traps was observed. The floor is without covering. Also on the lower ground floor is a bathroom, this has central heating and an electric extractor fan, The room appears uninsulated, and faces over the garden, the windows are wooden and single glazed. The ceiling has recently been reskimmed with plaster, evidence of mould. Return up the stairs reaches the bedroom reasonable size to accommodate a double bed, the room is again centrally heated, the window facing the road is single glazed. The lower ground floor rooms are very dark

The applicant has shared use and responsibility for the garden, and yard area with another occupier of the building.

## **Evidence**

### **Applicant's Submission**

8. The Applicant submitted an email to the tribunal dated 29 April 2024 noting a number of concerns the tenant had with the property, The tribunal has carefully read the e mail.

9. The Applicant submitted a completed Reply Form undated but in response to tribunal directions of 28 February 2025. The Form notes, the property is a two floored flat, over the lower ground and ground floor. The flat consists of the ground floor, a living room, a kitchen, and on the lower ground a bedroom, and bathroom. The property has central heating, double glazing, both supplied by the landlord, no carpets or curtains supplied by the landlord, white goods supplied by the tenant. The tenant notes the kitchen was replaced by the landlord in 2010, bathroom 1998, and a new boiler pre covid.

10. In terms of disrepair the Tenant notes, no soundproofing to mitigate noise from other flats in the building.

- ☐ Draughty sash windows
- ☐ Windows soundproofing minimal
- ☐ Old plumbing and wiring
- ☐ Garden needs a lot of work.

The tenant also supplied a number of photographs which showed the internal and external of the property, in some places damp and cracked ceilings.

At the hearing the tenant reiterated and confirmed the material within the submission, noting also that the garden was shared with the occupier of the flat above.

### **The Respondent Submission**

11. The Respondent submitted to the tribunal an email, on 27 August 2024 noting the rent of £142.78 per week that was currently being charged.

### **Determination and Valuation**

12. Having consideration of the comparable evidence proved by the parties and our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in good tenantable condition, and traditional layout would be in the region of £ 1700.00 per month.

The property has a number of issues that detract from the good tenantable condition.

First – the unusual layout and a deduction of £340.00 per month is made.

Second – the property has issues with condensation, vermin and the kitchen and bathroom are tired, and the property mainly has bare floor unsanded boards a deduction of £340.00 per month is made.

The net rent is therefore £1020.00 per month, which is equivalent to £235.38 per week.

### **Hardship**

13. By email dated 16 August 2024 the tenant, identified various financial constraints including being on universal credit.

### **Decision**

14. The Tribunal therefore determines the new rent of £235.38 per week. The tribunal is mindful of the financial situation outlined by the tenant and is satisfied that if the determined rent was applied to the effective date of the rent increase in the notice this would result in hardship. The tribunal therefore determines the effective date of the new rent as from date of the hearing.

**Chairman: R Waterhouse FRICS**  
**Date: 24 April 2025**

### **Appeal to the Upper Tribunal**

A person wishing to appeal this decision to the Upper Tribunal (Property Chamber) on a point of law must seek permission to do so by making a written application to the First-tier Tribunal at the Regional Office which has been dealing with the case which application must:

- a. be received by the said office within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
- b. identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.

If the application is not received within the 28 –day time limit, it must include a request for an extension of time and the reason for it not complying with the 28- day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.