



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

Case Reference : **FR/LON/00AB/MNR/2025/0654**

Hearing Type : **Face to Face**

Property : **111 Galleons Drive, Barking, London, IG11 0FA**

Applicant : **Nadeem Ahmed, Ayesha Sultane, Tanvir Ahmed
& Hassan Ahmed (Tenant)**

Representative : **In person**

Respondent : **Ming Fei Liu (Landlord)**

Representative : **Represented by Mr J Stewart of Your move**
Date of Objection : **3rd January 2025**

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 O. Miller

Date of Hearing : **27 May 2025**

Date of Inspection : **No inspection**

Date of Full Reasons : **27 May 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 16 November 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 £2,000.00 per month to £2,200.00 per month.
2. On 3rd January 2025 the tenant made an application to the Tribunal for the determination of a market rent.
3. The original tenancy is believed to have begun on 10 April 2017.
4. The tenant occupies the property by way of an Assured Periodic Tenancy.
5. By way of a letter dated 13 March 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 3 April 2025. The tenant was directed to do the same by 17 April 2025 and the landlord was given until 24 April 2025 for his response thereto.
6. On 28 April 2025 the Tribunal wrote to the parties confirming details for a hearing date to take place on 27 May 2025.
7. Both parties took the opportunity to make submissions.
8. In consideration of the Market rental value of the subject property, the Tribunal has taken into consideration all documentation before it, including letters and any reply forms returned by the parties.
9. In their application to the Tribunal, the tenant states that the property is a terraced house, confirms that the landlord has provided a sofa by way of furnishings and says that they have painted the bedrooms and the ground floor themselves.
10. In the tenant's Reply form the tenant confirmed that they would like a hearing but do not need an inspection. They provide general details of the accommodation and confirm that the property has central heating and double glazing. They say that they have provided carpets and curtains and that the property does have a parking space but there are issues with the cooker and no hot water in the bathroom. Finally, they advise of mould in the en-suite bathroom.

11. The Tribunal has been provided with various correspondence relating to those that may remain in occupation, but this is not of concern to the Tribunal in making an assessment of the market rent.
12. The landlord provides a market appraisal from Your Move which provides comparable evidence of eight properties available to let and four where lettings have been agreed.
13. Of those to let, the rental value for the four-bedroom houses ranges between £2,300.00 and £2,900.00 per month.
14. Of those where lettings have been agreed, the rents range from £2,100.00 for a three-bedroom house to £2,600.00 for a four-bedroom house.

The Hearing

15. Mr Nadeem Ahmed (a tenant) was present at the hearing and gave evidence on behalf of the tenants. Mr M Liu was also present but was represented by Jamie Stewart of Your Move who represented him and spoke on his behalf.
16. Mr Ahmed explained that the property used to be occupied by his parents himself and his siblings but more recently that he and his siblings had moved out and as a result his parents were left to find the rent alone and could not afford to do so. He said that his parents may be able to get financial assistance in the form of benefits but to do so needed a new tenancy which the landlords had not granted.
17. Mr Ahmed referred to some disrepair in the property namely intermittent defects to the boiler, bath drainage, cooker and hob. He also said that the extractor in the bathroom was too weak for purpose.
18. When asked specifically what he thought currently monthly rental value of the property might be in the current condition he was unable to give a figure but after further questioning said that he thought it should be a little more than the passing rent .
19. For the Landlord, Mr Stewart referred the tribunal to the market report of Your Move and the evidence therein. He stated that the rent of £2,200 was not a market rent and that if the property were to come to the market now, they would ask £2,800.00 per month.

20. The landlord confirmed that the rent of £2,000.00, the rent passing, had been the rent since the tenants initially occupied in 2017.
21. On 27 May 2025, based on paper submissions and following a hearing, the Tribunal determined the Market rent of the above property at £2,200.00 per month.

The Law

22. 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

23. Following consideration of the written and photographic submissions given by both parties, evidence given at the hearing and using its own knowledge and experience of the rental market in the Barking area, the Tribunal finds the open market rent of the property, be £2,200.00 per month.

Hardship

24. While the tribunal has taken note of the change in circumstances of the tenants named in the tenancy agreement, the tenancy which began in April 2017 has not been brought to an end and as a result the obligations of each of the tenants named thereon remains. The fact that some of those tenants may no longer be contributing to the rent thus creating hardship for those that remain in occupation is not a factor that the tribunal can take into consideration and as a result the tribunal determines that the rent should be effective from the date given in the landlords notice 10th January 2025

Chairman: J. A. Naylor FRICS FIRPM

Valuer Chairman

Date: 27 May 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).