



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

Case Reference	:	CAM/42UD/MNR/2024/0634
Property	:	328 Bramford Road, Ipswich IP1 4BB
Applicant	:	Alexa Dean (Tenant)
Representative	:	None
Respondent	:	Philip Smart & Linda Shirley (Landlords)
Representative	:	Thompsons (Agent)
Type of Application	:	S.13 Housing Act 1988 Determination of a new rent
Tribunal Members	:	Mr N. Martindale FRICS
Date and venue of Meeting	:	4 February 2025 First Tier Tribunal (Eastern) County Court Cambridge CB1 1BA
Date of Decision	:	4 February 2025

REASONS FOR DECISION

Background

- 1 The First Tier Tribunal received an application, undated, in late 2024 but, before the effective start date of the new rent sought, from tenants 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 16 August 2024, proposed a new rent of £925 per calendar month exclusive, with effect from and including 10 October 2024. This rent does not include other services.

- 3 The tenancy is an assured periodic calendar monthly tenancy with effect from and including 16 October 2024. A copy was provided.
- 4 The rent payable from up to and including 9 October 2024 was £725 per calendar month. No furniture or services were included. The landlord provided kitchen oven, hob, hood but no other white goods. The let included carpets but, not curtains.

Directions

- 5 Directions, dated 9 December 2024, for the progression of the case, were issued by Legal Officer Laura Lawless. Neither party asked for a hearing.

Inspection

- 6 There was no inspection. The Property is a small 2 level end terrace house. It has a small front and rear garden. (Google Streetview September 2024).
- 7 The Property is a small end terraced house dating from the 1890s of traditional construction. It is set within an old established residential area on the local road route B1067.
- 8 The Property has 2 double bedrooms, bathroom/WC; living room, kitchen. There is double glazing and central heating; but a dispute over the condition of the carpets provided by the landlords. The tenant carried out repairs to 2 floorboards in the back bedroom and installed a shower screen and tiling to the bathroom, gravel to parts of the garden. The kitchen included stove top, oven and vent hood. All other white goods are the tenants. There are no curtains.
- 9 This two storey traditional house has fair face main brick walls to the front and side elevations. There are double single lap concrete tiled roofs.

Tenants' and Landlord's Representations

- 10 The tenants provided written submissions via Application Form, the completed standard Reply Form. The tenant referred to the basic condition of the bedroom floor, the carpets and the minor improvements undertaken to the bathroom and garden.
- 11 The landlord referred to some half dozen similar nearby two bedroom Victorian brick/ tile, terraced houses, some without front garden, but on side roads, let or to let nearby in late 2024. These were mid or end terrace of similar size, age, condition. The rents ranged from £950 pcm to £1100 pcm for one with a second bathroom and additional space.

- 12 The Tribunal is grateful for such information as was provided by both parties in the application and standard Reply Forms as well as by the tenant at the hearing.

Law

- 13 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

- 14 From the Tribunal's own general knowledge of market rent levels in Ipswich it determines that the subject property would let on normal Assured Shorthold Tenancy (AST) terms, for £950 per calendar month, fully fitted and in good order.
- 15 From the representations; it found however that the Property lacked some white goods, curtains and doubt was cast on the condition of the carpets and some repairs carried out. For these minor shortcomings the Tribunal makes a small deduction of £25 pcm. The new rent will be £925 pcm.
- 16 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 4 February 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).