



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

**Case Reference** : **HAV/00HB/MNR/2025/0672**

**Property** : **Ground Floor Flat  
344 Two Mile Road  
Kingswood  
Bristol  
BS15 1AJ**

**Applicant Tenants** : **Miss K Bauerova & Miss T Hinam**

**Representative** : **None**

**Respondent Landlord** : **Mr S Kouzaris**

**Representative** : **TLS Estate Agents**

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

**Tribunal Members** : **Mr I R Perry FRICS  
Mr D Cotterell FRICS**

**Date of Inspection** : **None, determined on the papers**

**Date of Decision** : **16<sup>th</sup> June 2025**

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**DECISION**

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## **Summary of Decision**

1. On 28<sup>th</sup> April 2025 the Tribunal determined a market rent of £875 per calendar month to take effect from 28<sup>th</sup> April 2025.

## **Background**

2. The case concerned the determination of a market rent for the subject property following a referral of the Landlord's notice of increase of rent by the Tenant pursuant to sections 13 and 14 Housing Act 1988.
3. On 12<sup>th</sup> March 2025 the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,000 per month, in place of the existing rent of £775 per month, to take effect from 28<sup>th</sup> April 2025. The notice complied with the legal requirements.
4. On 16<sup>th</sup> April 2025 the Tenants applied to the Tribunal under Section 13(4) (a) of the Housing Act 1988. A detailed written statement was included with and as part of the Application.
5. The Tribunal does not routinely consider it necessary and proportionate in cases of this nature to undertake inspections or hold Tribunal hearings unless either are specifically requested by either party or a particular point arises which merits such an inspection and/or hearing.
6. The Tribunal issued Directions on 6<sup>th</sup> May 2025 informing the parties that, unless either party objected, the Tribunal intended to determine the rent based on written representations, without a hearing. The Tribunal provided a blank RENT APPEAL STATEMENT for either party to complete. The parties were invited to make submissions which could include photographs or videos.
7. Neither party made any further submission and neither party objected to the matter being determined without an oral hearing, so the Tribunal determined the case on 16<sup>th</sup> June 2025 based on the written representations received.
8. These reasons address the key issues raised by the parties. They do not recite each and every point referred to either in submissions or during any hearing. However, this does not imply that any points raised, or documents not specifically mentioned were disregarded. If a point or document was referred to in the evidence or submissions that was relevant to a specific issue, then it was considered by the Tribunal. The Tribunal concentrates on those issues which, in its opinion, are fundamental to the application.

## **The Law**

### **S14 Determination of Rent by First-tier Tribunal**

- (1) Where, under subsection (4) (a) of section 13 above, a tenant refers to a First-tier Tribunal a notice under subsection (2) of that section, the Tribunal shall determine the rent at which, subject to subsections (2) and (4) below, the Tribunal consider that the dwelling-house concerned might reasonably be

expected to be let in the open market by a willing landlord under an assured tenancy-

- (a) which is a periodic tenancy having the same periods as those of the tenancy to which the notice relates;
  - (b) which begins at the beginning of the new period specified in the notice;
  - (c) the terms of which (other than relating to the amount of the rent) are the same as those of the tenancy to which the notice relates; and
  - (d) in respect of which the same notices, if any, have been given under any of Grounds 1 to 5 of Schedule 2 to this Act, as have been given (or have effect as if given) in relation to the tenancy to which the notice relates.
- (2) In making a determination under this section, there shall be disregarded-
- (a) any effect on the rent attributable to the granting of a tenancy to a sitting tenant;
  - (b) any increase in the value of the dwelling-house attributable to a relevant improvement carried out by a person who at the time it was carried out was the tenant, if the improvement-
    - (i) was carried out otherwise than in pursuance of an obligation to his immediate landlord, or
    - (ii) was carried out pursuant to an obligation to his immediate landlord being an obligation which did not relate to the specific improvement concerned but arose by reference to consent given to the carrying out of that improvement; and
  - (c) any reduction in the value of the dwelling-house attributable to a failure by the tenant to comply with any terms of the tenancy.
- (3) For the purposes of subsection (2)(b) above, in relation to a notice which is referred by a tenant as mentioned in subsection (1) above, an improvement is a relevant improvement if either it was carried out during the tenancy to which the notice relates, or the following conditions are satisfied, namely-
- (a) that it was carried out not more than twenty-one years before the date of service of the notice; and
  - (b) that, at all times during the period beginning when the improvement was carried out and ending on the date of service of the notice, the dwelling-house has been let under an assured tenancy; and
  - (c) that, on the coming to an end of an assured tenancy at any time during that period, the tenant (or, in the case of joint tenants, at least one of them) did not quit.
- (4) In this section "rent" does not include any service charge, within the meaning of section 18 of the Landlord and Tenant Act 1985, but, subject to that, includes any sums payable by the tenant to the landlord on account of the use of furniture, in respect of council tax or for any of the matters referred to in subsection (1) (a) of that section, whether or not those sums are separate from the sums payable for the occupation.

### **The Property**

9. From the information given in the papers and available on the internet, the property comprises a ground floor flat comprising a bathroom, small kitchen, small bedroom with no window or ventilation and a living space that leads to a garden. The Tenants refer to a Hall in which they store personal belongings.
10. The Energy Performance Certificate states that the floor area is 63 square metres and gives the property a 'C' rating. The certificate states that windows are double glazed and heating is from a gas-fired boiler.
11. The property is situated on a major 'A' road on the eastern side of the City of Bristol. All main amenities are within a reasonable distance.

### **Submissions**

12. The initial tenancy began on 28<sup>th</sup> September 2021 at a rent of £775 per month and has not previously been increased.
13. The Tenants state that Landlord has been carrying out building work to an adjoining shop premises which has been ongoing through April. Their statement is made on 16<sup>th</sup> April.
14. The Tenants state that due to the poor air quality in their bedroom, which has no ventilation, they consider that the bedroom has become unusable and are sleeping in the living area.
15. The Tenants emphasise disruption to their occupation caused by the building works to the property next door and by the Landlord needing access to their hallway as part of the works.
16. The Tenants also refer to some personal issues whereby they have asked the Landlord to communicate in writing whilst he has continued to call at the property.
17. The Tribunal was provided with photographs of the interior which show the property to be in reasonable order.

### **Consideration and Valuation**

18. The Tribunal first considered whether it felt able to reasonably and fairly decide this case based on the papers submitted only with no oral hearing. Having read and considered the papers it decided that it could do so.
19. The Tribunal is required to determine the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under an assured tenancy. The personal circumstances of the Parties are not relevant to this issue.
20. Having carefully considered the representations from the parties and associated correspondence and using its own judgement and knowledge of rental values in Bristol, the Tribunal decided that the market rent for the subject property if let

today in a condition that was usual for such an open market letting would be £875 per month. This considers the lack of ventilation to the bedroom.

21. Such an open market letting would be for a tenantable property in good order with the Landlord responsible for internal decoration and on the basis that carpets, curtains and white goods would all be provided by the Landlord.
22. From the submissions received this seems to be the case so no adjustments to the open market rent are justified.
23. The Tribunal has not made any adjustment to the rent to reflect nuisance from building works which had only been going on for part of April and within normal working hours of 8.00am to 6.00pm.
24. Whilst the Tenants might ask the Landlord to make contact in writing this cannot be a requirement of the Landlord, especially during building works where sudden access to some areas of the building might be necessary.
25. The Tenant made no representation that the starting date for the new rent specified in the Landlord's notice would cause the Tenant undue hardship.

### **Determination**

26. The Tribunal therefore decided that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under the terms of this assured tenancy was £875 per month.
27. The Tribunal directed that the new rent of £875 per month should take effect from 28<sup>th</sup> April 2025 this being the date specified in the notice.

### **RIGHTS OF APPEAL**

1. A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application to the First-tier Tribunal at the Regional office which has been dealing with the case. Where possible you should send your application for permission to appeal by email to [rpsouthern@justice.gov.uk](mailto:rpsouthern@justice.gov.uk) as this will enable the First-tier Tribunal Regional office to deal with it more efficiently.
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
3. If the person wishing to appeal does not comply with the 28-day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for 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.

4. The application for permission to appeal must 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.