



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

Case reference : **LON/00AL/HMF/2025/0605**

Property : **Flat 107, Dragoon Hall, Farndale Court,
Master Gunner Place, London SE18
4PW**

Applicant : **Solomon Jeremiah Baptiste**

Representative : **Not represented**

Respondent : **Ms. Susan Read**

Representative : **Mr. D. Taylor of Landlord Licensing &
Defence**

Type of application : **Application for a rent repayment order
by tenant**

Tribunal : **Judge S.J. Walker
Tribunal Member Mrs. L. Crane MCIEH**

**Date and Venue of
Hearings** : **11 August 2025
10, Alfred Place, London WC1E 7LR**

Date of Decision : **9 September 2025**

DECISION

Pursuant to its powers under rule 35 of the Tribunal Procedure (First-tier Tribunal)(Property Chamber) Rules 2013 and with the consent of the parties the Tribunal makes a Rent Repayment Order under section 43 of the Housing and Planning Act 2016 requiring the Respondent to pay the sum of £8,800 to the Applicant.

Reasons

The Application

1. The Applicant seeks a rent repayment order pursuant to sections 43 and 44 of the Housing and Planning Act 2016 (“the Act”) for the period from 6 April 2023 to 4 March 2024 in the sum of £8,800.

The Hearing

2. The hearing was conducted face-to-face. The Applicant attended and was not represented. The Respondent attended and was represented by Mr. Taylor of Landlord Licensing & Defence.
3. At the beginning of the hearing the Tribunal was informed that the parties were in the course of discussions and further time was requested for these to take place in the hope that an agreement could be reached.
4. After providing additional time for these discussions, the hearing finally commenced.
5. The Tribunal was informed by Mr. Taylor that the parties had been unable to reach an agreement. He then went on to inform the Tribunal that the Respondent wished to bring an end to the matter immediately. He said that in the circumstances the Respondent no longer wished to resist the application and would consent to an order being made for the sum sought.

The Tribunal’s Decision

6. Although the Applicant in the section of his skeleton argument entitled remedy (paras 51 to 53) invited the Tribunal to make an award of compensation, this is not something which the Tribunal has jurisdiction to do. The most the Tribunal could do was to make an order in the sum requested.
7. In the light of the Respondent’s decision not to contest the application and the further indication that they would consent to an order being made for the sum sought, the Tribunal concluded that, in effect, it was being invited to make a consent order under its powers set out in rule 35 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 (“the Rules”).
8. Rule 35 allows the Tribunal to make an order at the request of the parties disposing of the proceedings if it considers it appropriate to do so. Given the fact that the sum sought was the maximum it could award to the Applicant, and given the clearly expressed position of the Respondent, the Tribunal decided that it was appropriate to make the order sought.

Name: Judge S.J. Walker

Date: 9 September 2025

ANNEX - RIGHTS OF APPEAL

- The Tribunal is required to set out rights of appeal against its decisions by virtue of the rule 36 (2)(c) of the Tribunal Procedure (First-tier Tribunal)(Property Chamber) Rules 2013 and these are set out below.
- If a party wishes to appeal against 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 the 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.