



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

Case Reference : **CAM/26UK/MNR/2025/0726**

Property : **26 Chalkdell House
42 Loweswater Close
Watford
WD25 0TA**

Tenant : **Mr Andisheh Zolfagharzdehn**

Representative : **None**

Landlord : **Ms Prema Obrady**

Representative : **Connells Residential Lettings**

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

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

**Date of Application for
Permission to Appeal** : **10th November 2025**

**Date of Original
Decision** : **27th October 2025**

Date of PTA Decision : **17th November 2025**

DECISION

Decision of the Tribunal.

The Tribunal has considered the Applicant's request for permission to appeal submitted on 10th November 2025 and determines that:

Permission is refused.

Reasons for the Decision

1. The test for granting permission to appeal depends on whether there is a realistic prospect of success.
2. In the present case, the Tribunal does not consider that any ground of appeal has a realistic prospect of success, and the application fails.

Background

3. The original application from the Tenant to the First-Tier property Tribunal was made 14th August 2025.
4. On 18th August 2025 the Tribunal issued Directions informing the parties that the Tribunal would seek to determine the Market Rent for the property during the week commencing 20th October 2025 based on the written submissions from the parties and that the Tribunal did not intend to hold an oral hearing.
5. The Directions stated that either party may request a hearing, and any request should be made to the Tribunal copying the request to the other side by 15th September 2025.
6. The Directions required that the Landlord's Agent should submit their case to the Tribunal by 8th September 2025 and the Tenant should submit his comments and documents by 22nd September 2025. Copies should be sent to the opposing party.
7. Neither party objected to the matter being determined without an oral hearing, so the Tribunal inspected the property and determined the case on 27th October 2025 based on its own inspection and the representations received.
8. On 10th November 2025 at 3.22pm the Tenant applied to the Tribunal for Permission to Appeal the decision. At 10.47pm the same day he submitted a further short statement and at 23.49pm the same day he sent the Tribunal a 14 second video.

Submission for Appeal

9. The grounds for appeal listed in the email at 3.22 pm are:-

“The effective floor area of the property is significantly reduced due to sloping ceilings across the living room, kitchen and bedroom. This materially impacts the useable space and, in my view, places the property below the typical comparables used to justify £1,100 per month.

The Tenant offers, without prejudice, to accept £1,000 pcm to resolve this promptly.

10. The grounds listed in the email at 10.47pm are :-

“Further to my earlier appeal email, I want to add that the proposed £1,100 pcm doesn’t account for the flat’s typology (sic) and roof condition. This is effectively an eaves/attic unit with significant sloping ceilings that reduce useable floor area, and the roof doesn’t appear adequately weather-sealed – I can clearly hear rainfall hitting the ceiling and there’s a credible risk of ingress, AGAIN. From the exterior (and compared with the adjacent similar flat), there’s noticeably less roof protection than other units, making like-for-like comparables inappropriate for this property.

In light of this, even £1,000 pcm is a stretch; however, I’m willing to accept £1,000 pcm (without prejudice) to conclude this promptly.”

11. The email sent at 23.49 on 10th November 2025 includes a 15 second video on which can be heard a noise similar to a ticking clock, purported to be dripping water on the outside of the flat. There is no evidence of a water ingress to the flat.

Consideration and Decision

12. On 17th November 2025 the Tribunal considered the Application for permission to appeal.
13. The Tribunal first reconsidered whether it had been able to reach a fair decision based on the papers submitted to the original Tribunal and its own inspection of the property on 27th October 2025. The Tribunal concluded that it had been able to reach such a decision.
14. Within its original decision at paragraph 23 the Tribunal had noted “the flat is within the eaves of the building so that ceilings in the living room and bedroom are sloping which reduces the effective floor area.”
15. The Tribunal had noted that the Tenant referred to leaks in the past but noted no evidence of ongoing leaks at the time of the inspection and none were referred to by the Tenant.
16. At paragraph 29 of its original decision the Tribunal had again noted that “the internal floor space is compromised by sloping ceilings”.
17. The Landlord’s Agent had submitted a list of properties considered to be comparable with asking rents ranging from £1,200 pcm to £1,350 pcm. The Tribunal had assessed a full open market rent at the bottom of this range, at £1,200, and had then made a reduction of £100 pcm to reflect slightly dated fittings, minor repair issues and some staining of ceilings from a historic leak.
18. Within his Application for Permission to Appeal the Tenant suggests that, without prejudice, he is prepared to settle the matter at a new rent of £1,000 pcm.
19. The Tenant should be aware that the new rent is not a matter for negotiation with the Tribunal. Any decision by the Tribunal is, subject to any appeal, binding on the parties. It might assist the Parties in any future dealings with a Tribunal to

understand that for an Application for Permission to Appeal to succeed it should demonstrate that:-

- (a) The decision shows that the tribunal wrongly interpreted or wrongly applied the relevant law
 - (b) The decision shows that the Tribunal wrongly applied or misinterpreted or disregarded a relevant principle of valuation or other professional practice
 - (c) The tribunal took account of irrelevant considerations or failed to take account of relevant considerations or evidence, or there was a substantial procedural defect.
 - (d) The point or points at issue is or are of potential wide implication
 - (e) Reasons other than (a) to (d)
20. Having reflected on its original decision and the matters raised in the Application for Permission to Appeal, the Tribunal decided that its original decision had been correct and there are no grounds for or prospect of a successful appeal.
21. **Permission to appeal is therefore denied and the application fails.**

APPEAL

In accordance with Section 11 of the Tribunals, Courts and Enforcement Act 2007 and rule 21 of the Tribunal Procedure (Upper Tribunal) (Lands Chamber) Rules 2010, the Applicant/Respondent may make a further application for permission to appeal to the Upper Tribunal (Lands Chamber). Such application must be made in writing and received by the Upper Tribunal (Lands Chamber) no later than 14 days after the date on which the First-tier Tribunal sent notice of this refusal to the party applying for permission to appeal.