

Notice of the Tribunal Decision and Register of Rents under Assured Periodic Tenancies (Section 14 Determination)

Housing Act 1988 Section 14

Address of Premises

22 Vaughan Road
Chorlton
Manchester
M21 0YL

The Tribunal members were

Tribunal Judge Falder
Tribunal Member Gallagher

Landlord

Peter Anthony Estates Ltd

Address

834 Stockport Road, Levenshulme, Manchester, M19 3AW

Tenant

Dr Hussain Moudhai and Mrs Manal Rahman

1. The rent is: £

1650.00

Per

month

(excluding water rates and council tax but including any amounts in paras 3)

2. The date the decision takes effect is:

1st October 2024

***3. The amount included for services is/is negligible/not applicable**

N/A

Per

4. Service charges are variable and are not included*5. Date assured tenancy commenced**

1st April 2022

6. Length of the term or rental period

Periodic

7. Allocation of liability for repairs

As per tenancy agreement dated 24/3/21

8. Furniture provided by landlord or superior landlord

As per tenancy agreement (Cooker, washing machine, cupboards, table, beds, fitted wardrobes all supplied by landlord)

9. Description of premises

Mid 20th century 3 bedrooomed semi-detached house, extended at the rear and with an attached single car garage. The house is of brick and tile construction with rendering to the front elevation at first floor level. There is a porch and single storey bay at the front and the rear extension (single storey) is also brick and tile. There is a block paved driveway and lawned area to the front and a good sized rear garden. Internally there are 2 living rooms and a galley kitchen on the ground floor and 3 bedrooms and a bathroom on the first floor.

Chairman

**Tribunal Judge
Falder**

Date of Decision

29th April 2025



FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference : MAN/OOBN/MNR/2024/0675
Property : 22 Vaughan Road, Chorlton,
Manchester, M21 0YL
Tenant : Dr Hussain Moudhai and Mrs
Manal Rahman
Landlord : Peter Anthony Estates Ltd
Type of Application : s13 Housing Act 1988
Tribunal Members : Tribunal Judge K Falder
Tribunal Member J Gallagher MRICS
Date of Decision : 29th April 2025

DECISION

Decision

1. By a decision dated 29th April 2025, the Tribunal determined, in accordance with section 14 of the Housing Act 1988, that the open market rent for the Property is £1650.00 per month effective from 1st October 2024.

Background

2. By a notice dated 2nd August 2024, ("the Notice"), the Landlord proposed a new rent of £1700.00 per month in place of the existing rent of £1400.00 per month to take effect from 1st October 2024.
3. By an application dated 27th August 2024, the Tenant referred the Notice to the Tribunal, ("the Application").

Inspection

5. The Tribunal inspected the Property on 29th April 2025. The Tenant was present at the inspection. The Landlord also attended the inspection.
6. The Property is a mid 20th century 3 bedrooned semi-detached house, extended at the rear and with an attached single car garage. The house is of brick and tile construction with rendering to the front elevation at first floor level. There is a porch and single storey bay at the front and the rear extension (single storey) is also brick and tile. There is a block paved driveway and lawned area to the front and a good sized rear garden.
7. Internally there are 2 living rooms and a galley kitchen on the ground floor and 3 bedrooms and a bathroom on the first floor.
8. The Property is let mostly furnished although the tenant has provided some units and one of the beds. In the kitchen the landlord supplied the cooker and washing machine; other white goods are the tenants.
9. Overall the Property is in reasonable order. The downstairs front aspect windows are old and have caused some issues with rainwater penetration and the rear aluminium framed patio doors are somewhat dated. Heating is via a gas combi boiler situated in the kitchen and all rooms have radiators. One living room also has a wall mounted gas fire which is several years old. The tenant reported problems with the control on this item, but there are no known gas safety issues.
10. Decoration throughout the Property is fair and some repainting would be required prior to re-letting; particularly in the bedrooms.

The Law

11. The Tribunal must first determine that the Landlord's notice under section

13(2) satisfied the requirements of that section and was validly served.

12. The Housing Act 1988, section 14 requires the Tribunal to determine the rent at which it considered that the subject property might reasonably be expected to be let on the open market by a willing landlord under an assured tenancy.
13. In so doing the Tribunal is required by section 14(1), to ignore the effect on the rental value of the property of any relevant tenant's improvements as defined in section 14(2) of that Act.

Evidence

14. The Landlord provided a Best Price Guide to the Tribunal.
15. The Tenant made written representations to the Tribunal setting out that he wanted the rent to be "*£1300.00 or less if possible.*" The representations set out that some repairs that needed to be done took 8 months to be fixed and that in several instances he had to find someone to undertake urgent repairs himself (albeit he was compensated for those costs).
16. At the video hearing (after the inspection), the Tribunal also heard oral submissions from both the Landlord and Tenant. The Landlord submitted that the rent increase proposed was simply an increase to a fair market rent. They submitted that the most similar comparable they relied upon was a property on Abbeystead Avenue which rented for £1800.00 per month. They submitted that there was a massive shortage of private rented properties in this particular locality.
17. The Tenant submitted that there is a campaign to remove him from the Property. He submitted that he is paying more than the average rent on the street which he claimed to be £1300.00-£1400.00. He stated that two neighbours are acting in an anti-social way towards him.

Tribunal's Deliberations

18. The Tribunal first determined that the Notice was valid in accordance with section 13 of the Housing Act 1988.
19. It then had to determine the rent at which it considers that the Property might

reasonably be expected to be let on the open market by a willing landlord under an assured tenancy on the same terms as that under which the Property is let.

20. The Tribunal noted that the landlord provided some evidence of comparable properties. The Tenant referred anecdotally to a lower rent being paid by neighbours in the same street of £1300.00 and £1400.00 however this was of limited use to the Tribunal as they were unable to discern the dates of any lettings, the terms (furnished or unfurnished) and whether the properties were similarly extended and/or had the same facilities.
21. The Tribunal therefore largely relied on its own knowledge and experience to determine as follows:

	£ per month
Open market rent for a comparable property to the Property in good condition:	1750.00
Less:	
Necessary improvements/Landlord's neglect- minor damp below front bay, poorly sited radiator looks under specified	
No extractor in bathroom:	<u>100.00</u>
Adjusted Market Rent	<u>£1650.00</u>

22. The Tribunal therefore determined the Market Rent for the Property to be £1650.00 per month with effect from the date specified in the Landlord's notice- namely 1st October 2024.

Full reasons provided by Tribunal Judge Falder dated 14th May 2025

