



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

Case Reference : **CAM/00MG/MNR/2025/0759**

Property : **2 Egerton Gate
Shenley Brook End
Milton Keynes
MK5 7HH**

Tenant : **Mrs Deanne Joseph**

Representative : **None**

Landlord : **Dr Shahbaz Shuja**

Representative : **None**

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

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

Date of Application : **13th January 2026**

Date of Decision : **29th January 2026**

DECISION

Decision of the Tribunal.

The Tribunal has considered the Applicant's request for permission to appeal first submitted on 13th January 2026 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 29th September 2025.
4. The Tribunal issued Directions on 14th October 2025 informing the parties that the Tribunal does not routinely consider it necessary and proportionate to hold Tribunal hearings unless either are specifically requested by either party and the Tribunal would determine this case based on papers.
5. The parties were invited to make submissions to the Tribunal which could include photographs.
6. The Landlord was directed to make his submission by 3rd November 2025, and the Tenant was directed to make her submission in response by 17th November 2025. The Landlord was also directed that he "may provide a provide a brief response to the points raised Tenant and provide a copy to the Tribunal by 24 November 2025.
7. The Landlord and Tenant both submitted Rent Appeal Statements which were copied to the opposing party. The Tenant included photographs with her statement. Neither party requested a hearing. An inspection was arranged for 11th December 2025.
8. On 7th December 2025 the Landlord sent a further email to the Tribunal which referred to properties available to rent as advertised on the internet. This was followed on 11th December 2025 with an application and request for case management or other interim order requesting that the Tribunal accept this late submission.
9. The reason given for the late submission was "To submit current figures that are available at the time for adjudication for the Tribunal".
10. The Tenant objected to this late submission.
11. The Tribunal inspected the property on 11th December 2025. The Tenant accompanied the Tribunal but the Landlord nor any representative attended.
12. Before reaching its' decision, the Tribunal considered whether it should accept the late submission from the Landlord. Given that the dates specified in the

Directions of 14th October 2025, the Tenant's objection to the late submission, the Tribunal's own access to Rightmove and that Rightmove does not show what rent is achieved for each property the Tribunal determined that it would not accept the late submission.

13. The Tribunal determined a new market rent of £1,660 per month to take effect from 1st October 2025, this being the date specified in the Notice.

Submission for Appeal

14. On 13th January 2026 the Landlord wrote to the Tribunal requesting an appeal on the following points;-
 - i) "I would like to appeal the amount of rent figure that the Tribunal has set, it seems like my evidence was not accepted, which detailed comparables for this size of property and I would like to challenge the tribunal for evidence of rent assessment based for this type of property which is a custom-built property on 1/3rd acre of Land. The notes conclude a modern house with a MODEST GARDEN. Where is the evidence of the amount of the rental assessment that has been made.
 - ii) An inspection was made and everything the tenant had said was assumed by the tribunal to be affirmative without any discussion with the owner, many assumptions were made and a decision was made to assess the rental discounts given to the tenant without any discussion with the owner.
 - iii) property is in poor condition bec (sic) of the way the tenant has kept the property. The mould treatment was diligently carried out and instructions were given to the tenant to airate (sic) the property which she failed to do, currently there is no water penetration from the roof.
 - iv) evidence and statement of foul play was never considered by the tribunal.+++
 - v) tenant has unauthorized business use of the property the tribunal never even considered.
 - vi) Property has unauthorized residents that the tenant has failed to disclose to the owner.
 - vii) Tribunal failed to assess mold treatment by authorized contractor, tribunal made no attempt to communicate with the contractor to verify what work actually took place and to see if there is any outstanding issues as they have made a qualified assessment. Assumptions and discounts applied against the owner."
15. On 19th January 2026, having received a copy of the application to appeal, the Tenant responded to the Application.
16. The Tenant states that she does not operate a business from the property, the only other occupants are her own children and that she has not refused access, rather the Landlord routinely fails to make appointments.

17. The Tenant gives an example of a gas safety engineer attending the property on 17th January 2025, she having been given no notice, just as she was about to leave the property.

Consideration and Decision

18. On 29th January 2026 the Tribunal considered the Application for permission to appeal.
19. The Tribunal first reconsidered whether it had been able to reach a fair decision based on its own inspection of the property on 11th December 2025, the papers submitted to the Tribunal, its' own knowledge of rental values in Milton Keynes and its' own access to information available on Rightmove. Both parties had made a submission within the required timescale.
20. The Landlord had made a second submission which the Tribunal had ruled as being out of time. The Tenant had objected to this being accepted with no justification for making a further late submission.
21. The Tribunal had fully inspected the property, including a 'head and shoulders' inspection of the roof void, and had given careful consideration to all the papers submitted within the specified times and information available on the internet.
22. The Tribunal concludes that it had reached a fair and reasonable decision based on the information supplied by the parties and its own inspection and determines that acceptance of the late submission from the Landlord would not have altered its determination of the market rent.
23. The Tribunal then considered, in turn, the points raised by the Tenant in the Application for Permission to Appeal.
24.
 - i) The Tribunal had inspected the property and was fully aware of the size of the plot, much of which was given to driveway parking. In its original decision the Tribunal states that it gave consideration to representations from the parties and its own judgement and knowledge of rental values in Milton Keynes. The Property Tribunal is an expert Tribunal expected to take account of evidence submitted but to also rely on its own expert knowledge.
 - ii) The inspection was carried out by a Chartered Surveyor of many years' experience and the decision was based on his findings. It is not for the Tribunal to enter into discussion with either party. Both parties had opportunity to make submissions to the Tribunal which were considered and taken into account by the Tribunal in reaching its decision.
 - iii) The property was found to be in poor condition on the date of the inspection. The amount of black mould throughout the roof void and the internal accommodation was considerable and had resulted in enforcement action being taken by the local authority.

The Tribunal cannot know whether the Tenant ventilates the property but must assess the property as at the date of its inspection.

 - iv) It is not for this Tribunal to consider any alleged foul play.

- v) It is for the Tribunal to assess a market rent for the property in accordance with the residential tenancy agreement. There was no evidence of any business use.
 - vi) This is not established and in any case is not for the Tribunal to consider.
 - vii) The Tribunal inspected the property on 11th December 2025. Access arrangements for the Landlord or his agents are not an issue for this Tribunal.
 - viii) The Tribunal recorded the condition of the property as per its inspection. It is not for the Tribunal to communicate with any contractors or other third parties.
25. The Tribunal has already stated that it assessed an open market rent for the property based on the evidence provided and its own specialist knowledge of market rents in the area in question. Adjustments to the rent had been made to reflect the poor condition of the property.
26. Having reflected on its original decision and the matters raised in this application, the Tribunal decided that its original decision had been properly considered and correctly reached based on the evidence provided at the time and there are no grounds for or any prospect of a successful appeal.
27. **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.