



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

Case Reference	:	CAM/00KA/MNR/2025/0645
Property	:	30 Tenby Drive Luton LU4 9BL
Applicants	:	Arsaian Fakhar Khan (Tenant)
Representative	:	None
Respondent	:	Faridah Webb (Landlord)
Representative	:	None
Type of Application	:	S.13 Housing Act 1988 Determination of a new rent
Tribunal	:	Mr N. Martindale FRICS
Date and venue of Meeting	:	7 May 2025 First Tier Tribunal (Eastern) County Court Cambridge CB1 1BA
Date of Decision	:	7 May 2025

REASONS FOR DECISION

Background

- 1 The First Tier Tribunal received an application originally of 15 February 2025, before the effective start date of the new rent sought, from tenant of the Property, regarding a notice of increase of rent served by the landlord, under S.13 of the Housing Act 1988 (the Act).
- 2 The notice dated 8 February 2025, proposed a new rent of £1600 per calendar month exclusive, with effect from and including 23 April 2025. This rent does not include other services.

- 3 The tenancy is now an assured periodic calendar monthly tenancy which originally began for a fixed 12 months term on 23 April 2024 for an initial rent of £1500 pcm. A copy was provided.
- 4 The rent up to and including 22 April 2025 was £1500 pcm.

Directions

- 5 Directions, dated 13 March 2025, for the progression of the case, were issued by Legal Officer Laura Lawless. Neither party sought a hearing.

Inspection

- 6 There was no inspection. The Property is a 3 level mid terraced house dating from around 1970. It has a small front yard and rear garden. (Google Streetview August 2024). There is a single off-road parking place. There are no on-road street parking.
- 7 The house appears to be traditional construction, brick fair faced, tiled and rendered wall to front elevation. The main roof is double pitched finished to concrete single lap tile. Set within a street of very similar, houses, mainly three and four bedroom, all dating from around 1970.
- 8 The Property has 2 bedrooms to the second floor, 1 bedroom and bathroom/WC to first floor, and ground floor living room, converted garage/room, kitchen, WC. Central heating, with full double glazing, floor finishes are all apparently provided by the landlord. White goods are the tenants. There is no landlord provided furniture.

Tenants' and Landlord's Representations

- 9 The tenant provided written submissions via the Application Form and the completed standard Reply Form confirming the accommodation and basic terms of the lease. There were some 34No. x A4 whole page sheets each with a single monochrome photographs of the interior of the house. There were some duplicates.
- 10 The Tribunal is grateful for such information as was provided by both parties in the application and in the standard Reply Forms.

Law

- 11 In accordance with the terms of S.14 of the Act we are required to determine the rent at which we consider the property might reasonably be expected to let in the open market, by a willing landlord, under an assured tenancy, on the same terms as the actual tenancy; ignoring any increase in value attributable to tenant's improvements and any decrease in value due to the tenant's failure to comply with any terms of the tenancy. Thus the Property falls to be valued as it stands; but assuming that the Property to be in a reasonable internal decorative condition.

Decision

- 12 From the Tribunal's own general knowledge of market rent levels in Luton it determines that the subject Property would let on normal Assured Shorthold Tenancy (AST) terms, for £1600 per calendar month, fully fitted and in good order.
- 13 From the representations the Tribunal found nothing of significance to warrant any reduction from this figure. The new rent will therefore be £1600 pcm with effect from 23 April 2025.
- 14 Although the landlord is not obliged to charge this rent and may charge a significantly lower rent as a result of their own choice, policy, or governmental regulation; they may not charge more than this figure.

Chairman N Martindale FRICS

Date 7 May 2025

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If either party is dissatisfied with this decision, they may apply for permission to appeal to the Upper Tribunal (Lands Chamber) on any point of law arising from this Decision.

Prior to making such an appeal, an application must be made, in writing, to this Tribunal for permission to appeal. Any such application must be made within 28 days of the issue of this decision to the person making the application (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013).

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.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).