



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

Case Reference : **LON/00AS/MNR/2021/0090**

Property : **5 Monterey Lodge,
Frithwood Ave.
Northwood HA6 3GA**

Applicant : **Ms Seema Gorslar (Tenant)**

Representative : **None**

Respondent : **Mrs Gauri Rovati (Landlord)**

Representative : **None**

Type of Application : **Section 13(4) Housing Act 1988**

Tribunal Members : **Mr N Martindale FRICS**

**Date and venue of
Hearing** : **24 August 2021
10 Alfred Place, London WC1E 7LR**

Date of Decision : **24 August 2021**

REASONS FOR DECISION

Background

- 1 The First Tier Tribunal received an application dated 2 March 2021 from the 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 29 January 2021. January 2021, proposed a new rent of £2700 per calendar month (pcm), with effect from and including 3 March 2021. The passing rent in the notice, was £2500 pcm.
- 3 The tenancy is an assured periodic monthly tenancy.

Inspection

- 4 The Tribunal did not inspect the Property owing to the application of the current Covid 19 regulations by the FtT Property Chamber. The Tribunal had regard to Google Street View images of the Property from the public road (@ April 2018). However access to the building within which the Property is located is via a private drive and so there were no images from Streetview. Regard was had to the published EPC.

Representations

- 5 Directions, dated 28 June 2021, for the progression of the case, were issued. Neither party requested a hearing. The tenant had made brief representations in the application but, the Tribunal did not receive further representations to the Tribunal in response to the directions.
- 6 The Property is apparently a maisonette of some 1800ft² formed with other flats out of the conversion of an interwar former detached house. Accommodation is on two levels: Upper – 3 rooms, 2 bathrooms, Lower - 2 rooms, WC and kitchen. There is full gas central heating and double glazed windows.
- 7 According to the landlord the Property has two private vehicle parking bays, and use of are shared common driveway and grounds. According to the tenant the accommodation is limited to the maisonette itself. It appears from representations that floor coverings and white goods are provided by the landlord. According to the application form the tenant states that they did not pay a premium.
- 8 The landlord included a short statement to the Tribunal about various matters including references to the Property, history of the tenancy and a passing reference to one local property to let at a little under £3000 pcm. The landlord also requested that the Tribunal make an order concerning payments of rent by the tenant.

Law

- 9 In accordance with the terms of S14 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 it is in a reasonable internal decorative condition.

Decision

- 10 Based on the Tribunal's own general knowledge of market rent levels in Hillingdon, it determines that the subject property would let on normal

Assured Shorthold Tenancy (AST) terms, for £2,700 pcm, fully fitted and in good order.

- 11 There were no significant tenants improvements or additions to consider, and the Property was let partly furnished with white goods and floor coverings. For this reason the Tribunal makes no deduction. It therefore determines the new rent at £2,700 pcm, with effect from 3 March 2021.
- 12 The landlord had requested that the Tribunal make an order to require the tenant to pay the rent. The Tribunal has no jurisdiction to make such an order and none is made.

Chairman N Martindale FRICS

Dated 1 September 2021