



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

Case Reference : **BIR/41UF/MNR/2021/0042**

Property : **Oak Cottage, 19 High Street, Wheaton,
Aston, Stafford, ST19 9NP**

Landlord : **Beechdown Ltd**

Representative : **Mr Freifeld of Stock Page Stock**

Tenant : **Ian Smith**

Type of Application : **An Application for a Determination under
Section 14 of the Housing Act 1988**

Tribunal Members : **Nicholas Wint FRICS
Sarah Hopkins FRICS**

Date of Decision : **25 October 2021**

**Date of Statement of
Reasons** : **9 December 2021**

STATEMENT OF REASONS

BACKGROUND

1. By way of a notice dated 28 June 2021, Stock Page Stock (“the Landlord’s agent”), sought to increase the rental in respect of Oak Cottage 19 High Street Wheaton Aston Stafford ST19 9NP (“the Property”) to £125 per week under section 13 of the Housing Act 1988 (“the Act”) with effect from 1 September 2021.
2. The tenancy commenced on 19 October 2009 and the rent payable at the time of the notice was £110 per week.
3. By an application received on 9 August 2021, Mr Ian Smith, (“the Tenant”) of the Property, referred the Notice of Increase of rent served by the Landlord to the Tribunal.
4. After consideration of the available evidence and the applicable law, the Tribunal determined a rental of £110 per week with effect from 1 September 2021.
5. Upon receipt of an email dated 2 November 2021 the Landlords representative requested the Tribunal provide reasons. These written reasons should therefore be read in conjunction with the Decision of the Tribunal dated 25 October 2021.

THE PROPERTY

6. The Tribunal carried out an inspection of the Property on 25 October 2021. Present at the inspection was Mr Smith, the Tenant.
7. The Property is located in the village of Wheaton Aston in Staffordshire approximately 9 miles south west of Stafford and 7 miles west of Cannock. It has good transport links with Junction 12 of the M6 motorway 5 miles away and access to the M54, A449 and A5 roads to Stafford, Cannock, Telford and Shrewsbury.
8. The Property is situated on the northern side of the High Street surrounded by mix of detached and semi-detached housing and bungalows of varying ages and comprises a small un-modernised two-storey semi-detached period cottage of traditional brick and pitched roof construction.
9. The ground floor accommodation provides a small living room, an un-modernised kitchen and an unmodernised bathroom with WC. On the first floor is a small landing, two small bedrooms and a ‘box’ room. The windows throughout are single glazed and timber framed and the sole source of heating is provided by an open fire place in the living room. The floor coverings and curtains, which belong to the Tenant, were in very poor condition and the general state of decoration and overall condition of the property was very poor and

substandard. It also appears that the property has not been rewired. Externally there is a small garden to the front with an un made-up driveway and a further garden area to the rear.

10. Overall, the Tribunal was particularly concerned with the general condition of the Property both inside and out, the limited source of space heating, the inadequate kitchen and bathroom facilities, the lack of double glazing, the steepness of the staircase, the limited ceiling head height and the state of the electrical wiring.
11. In terms of improvements, the Tribunal understands neither the Tenant or the Landlord has made any to the Property.

EVIDENCE

12. The Tribunal received brief written representations from the Tenant which were copied across accordingly. No initial written representations were received from the Landlord's representative.
13. The Landlords representative requested a hearing and both parties were notified by the Tribunal that this was to be held by telephone at 3:15pm on 25 October 2021. The Tenant, however, advised that he would not be attending as was unable to do so.
14. On the day of the hearing and just before the allocated time the Tribunal attempted to call the Mr Freifeld, but it appears Mr Freifeld's phone does not accept withdrawn numbers. The Tribunals Clerk then attempted to contact Mr Freifeld through the conference call facilities which succeeded in connecting to the office telephone line of Stock Page Stock and was answered by a colleague of Mr Freifeld. He advised that Mr Freifeld was unavailable before putting the phone on hold and then informing the Tribunal that Mr Freifeld was not at his desk and to ring back in 10 minutes.
15. As the Landlords representative had been notified ahead of time the Tribunal informed Mr Freifeld's colleague that it would not be possible to delay the hearing and would have to proceed with the decision in his absence.
16. Mr Freifeld called the Tribunal office at 3:35pm to request that he be allowed to present his case, however as the hearing had concluded, the Tribunal felt it inappropriate to reopen the hearing given the delay already suffered.
17. Mr Freifeld advised that he was sitting at his desk at 3:15pm but was unable to receive the call from the Tribunal as his office has a policy of barring private telephone numbers. If this is the case then it is at odds with what the Tribunal

were advised by Mr Freifeld's colleague who advised that he was unavailable at the time despite the Tribunal explaining the reasons for the call. Further, if Mr Freifeld's office operates such a policy then it would have been helpful had he notified the Tribunal of the policy in advance which could have avoided the issue arising.

18. The Tribunal did however agree to allow Mr Friefeld the opportunity to submit written evidence in support of the Landlords case to increase the rent. This was received on 28 October 2021 by email.
19. Mr Freifeld submits that he has contacted several estate agents and property surveyors in the area who have advised them that the current market rent for the subject Property is between £175 to £200 per week and therefore their contention for a rent of £125 per week is below the market rate. In addition, Mr Freifeld advises that they would normally do annual inspections but have not been able to do so as they have not been able to contact the Tenant. The Tribunal therefore has concerns as to whether Mr Freifeld has in fact ever inspected the property and is aware of the extent of the accommodation and its condition.
20. The Tenant advises he has lived in the Property all his life and became the Tenant on 19 October 2009 following the passing of his Mother who had been a regulated tenant. Mr Smith also advises that there is no tenancy agreement but has always paid the rent on a Monday whereas the Landlord is seeking to increase the rent from 1 September, that being a Wednesday. In support Mr Smith submits a previous Tribunal decision from 28 June 2016 which determined that the rent of £107 per week was payable from 20 June 2016 which was a Monday and submits a Tenant Rent Schedule from Solomon Page Stock that shows the weekly rent demands from 14 June 2021 to 6 September 2021 – each period commencing on a Monday.
21. In conclusion the Tenant submits, in his opinion, that it is unreasonable to expect an increase of £15 per week.

THE LAW

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

VALUATION

24. In reaching its determination, the Tribunal has had regard to the evidence and submissions of the parties, the relevant law and their own knowledge and experience as an expert Tribunal but not any special or secret knowledge. The Tribunal did not find either the Landlord's or Tenants evidence of any assistance as none was specific or sufficiently detailed to be of anything more than hearsay.
25. In the first instance, the Tribunal determined what rent the landlord could reasonably be expected to obtain for the Property if it were let today in the condition that is considered usual for such an open market letting.
26. The Tribunal used its own general knowledge of market rental levels in and around the surrounding residential areas and from its own research into rental values for similar types of property from the surrounding areas including the Weston Estate and the Four Ashes Estate nearby.
27. The Tribunal made various deductions to the market rent to take into account the subject property's condition and in particular the un-modernised kitchen and bathroom, lack of central heating and double glazing and poor general decoration. The Tribunal also had regard to the limitations of access via the steep internal staircase.
28. The Tribunal also notes that the property is likely to be subject to an improvement notice if it came to the attention of the Local Authority and that in its present condition it would not be able to be let by an agent if offered to the market.
29. Taking all factors into consideration, and having regard to the evidence, the Tribunal concluded that the likely market rental for a property of this size, condition and specification would be in the order of £160 to £165 per week.
30. However, to allow for the Property's poor condition, small rooms, inadequate heating provision and un-modernised kitchen and bathroom the Tribunal considered a total deduction for these matters of approximately £50.00 to £55.00 per week was reasonable and justified.
31. There were no other Tenants' improvements and so no further deductions were made.
32. The rent determined by the Tribunal for the purposes of Section 14 was, therefore, £110 per week with effect from 1 September 2021.

APPEAL

33. If either party is dissatisfied with this decision, they may apply for permission to appeal to the Upper Tribunal (Lands Chamber) **on a point of law only**. 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 (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013) stating the grounds upon which it is intended to rely in the appeal.

Nicholas Wint BSc (Hons) FRICS



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

Case Reference : **BIR/41UF/MNR/2021/0042**

Property : **Oak Cottage, 19 High Street, Wheaton,
Aston, Stafford, ST19 9NP**

Landlord : **Beechdown Ltd**

Representative : **Mr Freifeld of Stock Page Stock**

Tenant : **Ian Smith**

Type of Application : **An Application for a Determination under
Section 14 of the Housing Act 1988**

Tribunal Members : **Nicholas Wint FRICS
Sarah Hopkins FRICS**

Date of Decision : **25 October 2021**

**Date of Statement of
Reasons** : **9 December 2021**

STATEMENT OF REASONS

BACKGROUND

1. By way of a notice dated 28 June 2021, Stock Page Stock (“the Landlord’s agent”), sought to increase the rental in respect of Oak Cottage 19 High Street Wheaton Aston Stafford ST19 9NP (“the Property”) to £125 per week under section 13 of the Housing Act 1988 (“the Act”) with effect from 1 September 2021.
2. The tenancy commenced on 19 October 2009 and the rent payable at the time of the notice was £110 per week.
3. By an application received on 9 August 2021, Mr Ian Smith, (“the Tenant”) of the Property, referred the Notice of Increase of rent served by the Landlord to the Tribunal.
4. After consideration of the available evidence and the applicable law, the Tribunal determined a rental of £110 per week with effect from 1 September 2021.
5. Upon receipt of an email dated 2 November 2021 the Landlords representative requested the Tribunal provide reasons. These written reasons should therefore be read in conjunction with the Decision of the Tribunal dated 25 October 2021.

THE PROPERTY

6. The Tribunal carried out an inspection of the Property on 25 October 2021. Present at the inspection was Mr Smith, the Tenant.
7. The Property is located in the village of Wheaton Aston in Staffordshire approximately 9 miles south west of Stafford and 7 miles west of Cannock. It has good transport links with Junction 12 of the M6 motorway 5 miles away and access to the M54, A449 and A5 roads to Stafford, Cannock, Telford and Shrewsbury.
8. The Property is situated on the northern side of the High Street surrounded by mix of detached and semi-detached housing and bungalows of varying ages and comprises a small un-modernised two-storey semi-detached period cottage of traditional brick and pitched roof construction.
9. The ground floor accommodation provides a small living room, an un-modernised kitchen and an unmodernised bathroom with WC. On the first floor is a small landing, two small bedrooms and a ‘box’ room. The windows throughout are single glazed and timber framed and the sole source of heating is provided by an open fire place in the living room. The floor coverings and curtains, which belong to the Tenant, were in very poor condition and the general state of decoration and overall condition of the property was very poor and

substandard. It also appears that the property has not been rewired. Externally there is a small garden to the front with an un made-up driveway and a further garden area to the rear.

10. Overall, the Tribunal was particularly concerned with the general condition of the Property both inside and out, the limited source of space heating, the inadequate kitchen and bathroom facilities, the lack of double glazing, the steepness of the staircase, the limited ceiling head height and the state of the electrical wiring.
11. In terms of improvements, the Tribunal understands neither the Tenant or the Landlord has made any to the Property.

EVIDENCE

12. The Tribunal received brief written representations from the Tenant which were copied across accordingly. No initial written representations were received from the Landlord's representative.
13. The Landlords representative requested a hearing and both parties were notified by the Tribunal that this was to be held by telephone at 3:15pm on 25 October 2021. The Tenant, however, advised that he would not be attending as was unable to do so.
14. On the day of the hearing and just before the allocated time the Tribunal attempted to call the Mr Freifeld, but it appears Mr Freifeld's phone does not accept withdrawn numbers. The Tribunals Clerk then attempted to contact Mr Freifeld through the conference call facilities which succeeded in connecting to the office telephone line of Stock Page Stock and was answered by a colleague of Mr Freifeld. He advised that Mr Freifeld was unavailable before putting the phone on hold and then informing the Tribunal that Mr Freifeld was not at his desk and to ring back in 10 minutes.
15. As the Landlords representative had been notified ahead of time the Tribunal informed Mr Freifeld's colleague that it would not be possible to delay the hearing and would have to proceed with the decision in his absence.
16. Mr Freifeld called the Tribunal office at 3:35pm to request that he be allowed to present his case, however as the hearing had concluded, the Tribunal felt it inappropriate to reopen the hearing given the delay already suffered.
17. Mr Freifeld advised that he was sitting at his desk at 3:15pm but was unable to receive the call from the Tribunal as his office has a policy of barring private telephone numbers. If this is the case then it is at odds with what the Tribunal

were advised by Mr Freifeld's colleague who advised that he was unavailable at the time despite the Tribunal explaining the reasons for the call. Further, if Mr Freifeld's office operates such a policy then it would have been helpful had he notified the Tribunal of the policy in advance which could have avoided the issue arising.

18. The Tribunal did however agree to allow Mr Friefeld the opportunity to submit written evidence in support of the Landlords case to increase the rent. This was received on 28 October 2021 by email.
19. Mr Freifeld submits that he has contacted several estate agents and property surveyors in the area who have advised them that the current market rent for the subject Property is between £175 to £200 per week and therefore their contention for a rent of £125 per week is below the market rate. In addition, Mr Freifeld advises that they would normally do annual inspections but have not been able to do so as they have not been able to contact the Tenant. The Tribunal therefore has concerns as to whether Mr Freifeld has in fact ever inspected the property and is aware of the extent of the accommodation and its condition.
20. The Tenant advises he has lived in the Property all his life and became the Tenant on 19 October 2009 following the passing of his Mother who had been a regulated tenant. Mr Smith also advises that there is no tenancy agreement but has always paid the rent on a Monday whereas the Landlord is seeking to increase the rent from 1 September, that being a Wednesday. In support Mr Smith submits a previous Tribunal decision from 28 June 2016 which determined that the rent of £107 per week was payable from 20 June 2016 which was a Monday and submits a Tenant Rent Schedule from Solomon Page Stock that shows the weekly rent demands from 14 June 2021 to 6 September 2021 – each period commencing on a Monday.
21. In conclusion the Tenant submits, in his opinion, that it is unreasonable to expect an increase of £15 per week.

THE LAW

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

VALUATION

24. In reaching its determination, the Tribunal has had regard to the evidence and submissions of the parties, the relevant law and their own knowledge and experience as an expert Tribunal but not any special or secret knowledge. The Tribunal did not find either the Landlord's or Tenants evidence of any assistance as none was specific or sufficiently detailed to be of anything more than hearsay.
25. In the first instance, the Tribunal determined what rent the landlord could reasonably be expected to obtain for the Property if it were let today in the condition that is considered usual for such an open market letting.
26. The Tribunal used its own general knowledge of market rental levels in and around the surrounding residential areas and from its own research into rental values for similar types of property from the surrounding areas including the Weston Estate and the Four Ashes Estate nearby.
27. The Tribunal made various deductions to the market rent to take into account the subject property's condition and in particular the un-modernised kitchen and bathroom, lack of central heating and double glazing and poor general decoration. The Tribunal also had regard to the limitations of access via the steep internal staircase.
28. The Tribunal also notes that the property is likely to be subject to an improvement notice if it came to the attention of the Local Authority and that in its present condition it would not be able to be let by an agent if offered to the market.
29. Taking all factors into consideration, and having regard to the evidence, the Tribunal concluded that the likely market rental for a property of this size, condition and specification would be in the order of £160 to £165 per week.
30. However, to allow for the Property's poor condition, small rooms, inadequate heating provision and un-modernised kitchen and bathroom the Tribunal considered a total deduction for these matters of approximately £50.00 to £55.00 per week was reasonable and justified.
31. There were no other Tenants' improvements and so no further deductions were made.
32. The rent determined by the Tribunal for the purposes of Section 14 was, therefore, £110 per week with effect from 1 September 2021.

APPEAL

33. If either party is dissatisfied with this decision, they may apply for permission to appeal to the Upper Tribunal (Lands Chamber) **on a point of law only**. 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 (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013) stating the grounds upon which it is intended to rely in the appeal.

Nicholas Wint BSc (Hons) FRICS



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

Case Reference : **BIR/41UF/MNR/2021/0042**

Property : **Oak Cottage, 19 High Street, Wheaton,
Aston, Stafford, ST19 9NP**

Landlord : **Beechdown Ltd**

Representative : **Mr Freifeld of Stock Page Stock**

Tenant : **Ian Smith**

Type of Application : **An Application for a Determination under
Section 14 of the Housing Act 1988**

Tribunal Members : **Nicholas Wint FRICS
Sarah Hopkins FRICS**

Date of Decision : **25 October 2021**

**Date of Statement of
Reasons** : **9 December 2021**

STATEMENT OF REASONS

BACKGROUND

1. By way of a notice dated 28 June 2021, Stock Page Stock (“the Landlord’s agent”), sought to increase the rental in respect of Oak Cottage 19 High Street Wheaton Aston Stafford ST19 9NP (“the Property”) to £125 per week under section 13 of the Housing Act 1988 (“the Act”) with effect from 1 September 2021.
2. The tenancy commenced on 19 October 2009 and the rent payable at the time of the notice was £110 per week.
3. By an application received on 9 August 2021, Mr Ian Smith, (“the Tenant”) of the Property, referred the Notice of Increase of rent served by the Landlord to the Tribunal.
4. After consideration of the available evidence and the applicable law, the Tribunal determined a rental of £110 per week with effect from 1 September 2021.
5. Upon receipt of an email dated 2 November 2021 the Landlords representative requested the Tribunal provide reasons. These written reasons should therefore be read in conjunction with the Decision of the Tribunal dated 25 October 2021.

THE PROPERTY

6. The Tribunal carried out an inspection of the Property on 25 October 2021. Present at the inspection was Mr Smith, the Tenant.
7. The Property is located in the village of Wheaton Aston in Staffordshire approximately 9 miles south west of Stafford and 7 miles west of Cannock. It has good transport links with Junction 12 of the M6 motorway 5 miles away and access to the M54, A449 and A5 roads to Stafford, Cannock, Telford and Shrewsbury.
8. The Property is situated on the northern side of the High Street surrounded by mix of detached and semi-detached housing and bungalows of varying ages and comprises a small un-modernised two-storey semi-detached period cottage of traditional brick and pitched roof construction.
9. The ground floor accommodation provides a small living room, an un-modernised kitchen and an unmodernised bathroom with WC. On the first floor is a small landing, two small bedrooms and a ‘box’ room. The windows throughout are single glazed and timber framed and the sole source of heating is provided by an open fire place in the living room. The floor coverings and curtains, which belong to the Tenant, were in very poor condition and the general state of decoration and overall condition of the property was very poor and

substandard. It also appears that the property has not been rewired. Externally there is a small garden to the front with an un made-up driveway and a further garden area to the rear.

10. Overall, the Tribunal was particularly concerned with the general condition of the Property both inside and out, the limited source of space heating, the inadequate kitchen and bathroom facilities, the lack of double glazing, the steepness of the staircase, the limited ceiling head height and the state of the electrical wiring.
11. In terms of improvements, the Tribunal understands neither the Tenant or the Landlord has made any to the Property.

EVIDENCE

12. The Tribunal received brief written representations from the Tenant which were copied across accordingly. No initial written representations were received from the Landlord's representative.
13. The Landlords representative requested a hearing and both parties were notified by the Tribunal that this was to be held by telephone at 3:15pm on 25 October 2021. The Tenant, however, advised that he would not be attending as was unable to do so.
14. On the day of the hearing and just before the allocated time the Tribunal attempted to call the Mr Freifeld, but it appears Mr Freifeld's phone does not accept withdrawn numbers. The Tribunals Clerk then attempted to contact Mr Freifeld through the conference call facilities which succeeded in connecting to the office telephone line of Stock Page Stock and was answered by a colleague of Mr Freifeld. He advised that Mr Freifeld was unavailable before putting the phone on hold and then informing the Tribunal that Mr Freifeld was not at his desk and to ring back in 10 minutes.
15. As the Landlords representative had been notified ahead of time the Tribunal informed Mr Freifeld's colleague that it would not be possible to delay the hearing and would have to proceed with the decision in his absence.
16. Mr Freifeld called the Tribunal office at 3:35pm to request that he be allowed to present his case, however as the hearing had concluded, the Tribunal felt it inappropriate to reopen the hearing given the delay already suffered.
17. Mr Freifeld advised that he was sitting at his desk at 3:15pm but was unable to receive the call from the Tribunal as his office has a policy of barring private telephone numbers. If this is the case then it is at odds with what the Tribunal

were advised by Mr Freifeld's colleague who advised that he was unavailable at the time despite the Tribunal explaining the reasons for the call. Further, if Mr Freifeld's office operates such a policy then it would have been helpful had he notified the Tribunal of the policy in advance which could have avoided the issue arising.

18. The Tribunal did however agree to allow Mr Friefeld the opportunity to submit written evidence in support of the Landlords case to increase the rent. This was received on 28 October 2021 by email.
19. Mr Freifeld submits that he has contacted several estate agents and property surveyors in the area who have advised them that the current market rent for the subject Property is between £175 to £200 per week and therefore their contention for a rent of £125 per week is below the market rate. In addition, Mr Freifeld advises that they would normally do annual inspections but have not been able to do so as they have not been able to contact the Tenant. The Tribunal therefore has concerns as to whether Mr Freifeld has in fact ever inspected the property and is aware of the extent of the accommodation and its condition.
20. The Tenant advises he has lived in the Property all his life and became the Tenant on 19 October 2009 following the passing of his Mother who had been a regulated tenant. Mr Smith also advises that there is no tenancy agreement but has always paid the rent on a Monday whereas the Landlord is seeking to increase the rent from 1 September, that being a Wednesday. In support Mr Smith submits a previous Tribunal decision from 28 June 2016 which determined that the rent of £107 per week was payable from 20 June 2016 which was a Monday and submits a Tenant Rent Schedule from Solomon Page Stock that shows the weekly rent demands from 14 June 2021 to 6 September 2021 – each period commencing on a Monday.
21. In conclusion the Tenant submits, in his opinion, that it is unreasonable to expect an increase of £15 per week.

THE LAW

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

VALUATION

24. In reaching its determination, the Tribunal has had regard to the evidence and submissions of the parties, the relevant law and their own knowledge and experience as an expert Tribunal but not any special or secret knowledge. The Tribunal did not find either the Landlord's or Tenants evidence of any assistance as none was specific or sufficiently detailed to be of anything more than hearsay.
25. In the first instance, the Tribunal determined what rent the landlord could reasonably be expected to obtain for the Property if it were let today in the condition that is considered usual for such an open market letting.
26. The Tribunal used its own general knowledge of market rental levels in and around the surrounding residential areas and from its own research into rental values for similar types of property from the surrounding areas including the Weston Estate and the Four Ashes Estate nearby.
27. The Tribunal made various deductions to the market rent to take into account the subject property's condition and in particular the un-modernised kitchen and bathroom, lack of central heating and double glazing and poor general decoration. The Tribunal also had regard to the limitations of access via the steep internal staircase.
28. The Tribunal also notes that the property is likely to be subject to an improvement notice if it came to the attention of the Local Authority and that in its present condition it would not be able to be let by an agent if offered to the market.
29. Taking all factors into consideration, and having regard to the evidence, the Tribunal concluded that the likely market rental for a property of this size, condition and specification would be in the order of £160 to £165 per week.
30. However, to allow for the Property's poor condition, small rooms, inadequate heating provision and un-modernised kitchen and bathroom the Tribunal considered a total deduction for these matters of approximately £50.00 to £55.00 per week was reasonable and justified.
31. There were no other Tenants' improvements and so no further deductions were made.
32. The rent determined by the Tribunal for the purposes of Section 14 was, therefore, £110 per week with effect from 1 September 2021.

APPEAL

33. If either party is dissatisfied with this decision, they may apply for permission to appeal to the Upper Tribunal (Lands Chamber) **on a point of law only**. 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 (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013) stating the grounds upon which it is intended to rely in the appeal.

Nicholas Wint BSc (Hons) FRICS