



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

Case reference : **CAM/34UF/MNR/2020/0032**

HMCTS code (paper, video, audio) : **P:PAPERREMOTE**

Property : **32 Forest Road Northampton NN4 8PA**

Applicant : **Muhammad Waqar Shaukat, Shabnam Ramzan and Kashif Abbasi**

Respondent : **Terry Woodhouse and Jennifer Campbell**

Type of application : **Application for permission to appeal**

Tribunal member : **Mary Hardman FRICS IRRV (Hons)**

Date of decision : **28 April 2021**

DECISION REFUSING PERMISSION TO APPEAL

Covid-19 pandemic: description of hearing

This has been a remote decision on the papers. The form of remote decision was P:PAPERREMOTE. A hearing was not held because it was not necessary; all issues could be determined on paper.

DECISION OF THE TRIBUNAL

1. The tribunal has considered the Respondent's request for permission to appeal based on the grounds of appeal provided and determines that:
 - (a) it will not review its Decision; and
 - (b) permission is refused.

2. 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 Respondent may make 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.
3. Where possible, you should send any such further application for permission to appeal **by email** to Lands@justice.gov.uk, as this will enable the Upper Tribunal (Lands Chamber) to deal with it more efficiently. Alternatively, the Upper Tribunal (Lands Chamber) may be contacted at: 5th Floor, Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL (tel: 020 7612 9710).

Original Application

4. The Original Application was made on 11 December 2020 for the determination of a market rent under Section 14(1) of the Housing Act 1988 by the tenants, Muhammad Waqar Shaukat, Shabnam Ramzan and Kashif Abbasi, following service of a notice in the prescribed form by the landlord on 2 November 2020.
5. The landlord's notice proposed a new rent of £935 per calendar month to be effective from 17 December 2020. This was in lieu of the £850 per month.
6. The decision of the First-tier Tribunal was a market rent of £900 per month from 9 March 2021.
7. Both parties were invited to make representations. Brief representations were received from the tenant. No representations were received from the landlord.

Reasons for the decision

8. The tribunal did not wrongly interpret or wrongly apply the relevant law or take into account irrelevant considerations, or fail to take account of relevant consideration or evidence.
9. The Tribunal considered the evidence, albeit scant, that was submitted by the tenant and did not receive any evidence from the landlord, nor any reason why such evidence was not submitted.
10. The landlord, who is a professional landlord who rents 'tens of properties in Northampton', is represented by Your Move. He disagrees with the decision issued by the Tribunal and seeks to introduce evidence at this stage.

11. It is now too late to introduce new evidence or argument and in the circumstances the tribunal has decided not to review its Decision and refuses permission to appeal to the Upper Tribunal because it is of the opinion that there is no realistic prospect of a successful appeal in this case.

Mary Hardman
Regional Surveyor
28 April 2021

ANNEX - RIGHTS OF APPEAL

As the application for permission to appeal the decision is refused, an application for permission to appeal against that refusal may be made to the Upper Tribunal under the Tribunals, Courts and Enforcement Act 2007, the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 and The Tribunal Procedure (Upper Tribunal) (Lands Chamber) Rules 2010. An application to the Upper Tribunal (Lands Chamber) for permission must be made within **14 days** of the date on which the First-tier Tribunal sent you the refusal of permission.