

Y TRIBIWNLYS EIDDO PRESWL
RESIDENTIAL PROPERTY TRIBUNAL
RENT ASSESSMENT COMMITTEE

Reference: RAC/0001/04/21

In the matter of 2 Lysaght Way, Newport, NP19 4AN

And in the matter of an Application under section 13(4) of the Housing Act 1988

Applicant: Clare Simner

Respondent: Lettings Angels Limited

Tribunal: Andrew Grant (Chairman)
Ceri Jones (Surveyor)

Decision

The Application is dismissed.

Reasons

1. This is an application by Ms. Clare Simner (“the Applicant”) who was previously the tenant of the property known as and situate at 2 Lysaght Way, Newport, NP19 4AN (“the Property”).
2. The Applicant occupied the Property pursuant to the terms of an Assured Shorthold Tenancy agreement which commenced on the 9th December 2016. The original term was for a period of 6 months which has now expired but the Applicant remained in occupation under the terms of a statutory periodic tenancy.
3. By her application, the Applicant sought to challenge the notice of increase of the rent which was served upon her by the Respondent on the 2nd March 2021, which proposed an increase to the rent from £495 to £600 per calendar month with such increase to take effect from the 9th May 2021.
4. The application was dated the 12th April 2021. Directions were issued on the 21st April 2021. In compliance with those directions, the Applicant filed and served her evidence in the form of a statement from Ms. Simner dated the 14th May 2021. The Respondent filed and served

its evidence which took the form of a statement from Ms. Mair Malnati of the Respondent company and which was dated the 6th May 2021.

5. The matter was listed for a determination on the papers as neither party had requested a hearing. The matter was considered on the 11th August 2021.

Preliminary matters

6. Prior to the hearing the tribunal was notified by the parties that the tenant had vacated the property and that the tenancy had come to an end.

Deliberations

7. The Housing act 1988 (“the Act”) provides, at section 13 (4), that where a notice of a proposed increase to the rent is served in respect of a tenancy to which section 13 (1) (a) or (b) applies, then the tenant may refer the matter to a tribunal which may, pursuant to section 14 of the Act, determine the rent at which the tribunal considers that the dwelling house concerned might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy taking into account those matters set out at sections 14 (1) (a) – (d).
8. Section 14 (8) of the Act states that *“nothing in this section requires the appropriate tribunal to continue with their determination of a rent for a dwelling house if the landlord and tenant give notice in writing that they no longer require such a determination or if the tenancy has come to an end.”*
9. In this case, the tenancy has come to an end and there seem to be no outstanding issues between the parties.
10. In the circumstances of the case, the tribunal can see no practical benefit to the parties in proceeding to carry out a determination of the rent in respect of the Property.

Decision

11. Accordingly, the Application is dismissed.

Dated this 23rd day of August 2021.

A Grant
Chairman