



**Sauri & 7 others v Postal Corporation of Kenya Staff Pension Scheme & another  
(Tribunal Case E872 of 2022) [2023] KERRT 1183 (KLR) (14 April 2023) (Ruling)**

Neutral citation: [2023] KERRT 1183 (KLR)

**REPUBLIC OF KENYA  
IN THE RENT RESTRICTION TRIBUNAL  
TRIBUNAL CASE E872 OF 2022  
HK KORIR, CHAIR  
APRIL 14, 2023**

**BETWEEN**

**ISAAC MUKUNG SAURI ..... 1<sup>ST</sup> PLAINTIFF  
EUNICE ROTICH ..... 2<sup>ND</sup> PLAINTIFF  
FLORA N. TUMBO ..... 3<sup>RD</sup> PLAINTIFF  
ALICE YATOR ..... 4<sup>TH</sup> PLAINTIFF  
NATHAN N. WANYONYI ..... 5<sup>TH</sup> PLAINTIFF  
JOB NYAMAO ..... 6<sup>TH</sup> PLAINTIFF  
JANE ONSANDO ..... 7<sup>TH</sup> PLAINTIFF**

**AND**

**RACHAEL N. MAGU ..... PETITIONER**

**AND**

**POSTAL CORPORATION OF KENYA STAFF PENSION  
SCHEME ..... 1<sup>ST</sup> DEFENDANT  
LASER PROPERTIES LIMITED ..... 2<sup>ND</sup> DEFENDANT**

**RULING**

1. The defendants objected to the Tribunal Jurisdiction in respect of the subject premises hereon by way of a replying affidavit filed on 9<sup>th</sup> November, 2022.
2. The Defendants had issued notice for the increment of rent from Kshs. 16,000/- to Kshs. 30,000/- per unit which the Plaintiffs opposed by filling these proceedings for injunctive orders against the increment.



3. The Defendant stated that the Tribunal's Jurisdiction is pegged at Standard rent ceiling of Kshs. 2,500/- and that the subject premises fall outside as it attracts an agreed rent of Kshs. 16,000/- for the last 17 years.
4. The Defendant further submitted that the sum of Kshs. 30,000/- was not arrived at arbitrarily as it had carried out an assessment as per the assessment report dated 24<sup>th</sup> September, 2021.
5. In view of the definition of "standard rent" under section 3 of Cap 296 and the Supreme Court's ruling in the case of *Samuel K. Macharia and others v KCB*

"That a court Jurisdiction flows from either the constitution or legislation or both"

the Defendants are directed to apply for assessment of Standard rent before further orders are granted.

6. It is also worth noting that the Plaintiffs had in their Application applied for assessment of standard rent.

**RULING ISSUED IN CHAMBER ON THIS 14<sup>TH</sup> DAY OF APRIL, 2023 IN ACCORDANCE WITH THE COVID-19 PRACTICE REGULATIONS.**

**SIGNED**

**HILLARY K. KORIR**

**CHAIRMAN**

**RENT RESTRICTION TRIBUNAL**

