



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

**Case Reference** : **LON/00AW/MNR/2024/0269**

**Property** : **Flat 3, 16 Collingham Place, London,  
SW5 0PZ**

**Tenant** : **John Biddolph**

**Landlord** : **Triton Limited**

**Date of Objection** : **25<sup>th</sup> April 2024**

**Type of Application** : **Determination of a Market Rent  
sections 13 & 14 of the Housing Act  
1988**

**Tribunal Member** : **Judge Tueje  
Mrs A Flynn MA MRICS**

**Date of Summary  
Reasons** : **14<sup>th</sup> February 2025**

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**DECISION**

**The Tribunal determines a rent of £2,280.00 per calendar month  
with effect from 5<sup>th</sup> June 2024.**

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## SUMMARY REASONS

### Background

1. On 24<sup>th</sup> April 2024 the landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2,838.00 per month in place of the existing rent of £1,850.00 per month, to take effect from 5<sup>th</sup> June 2024.
2. By an application dated 25<sup>th</sup> April 2024, made under Section 13(4)(a) of the Housing Act 1988, the tenant referred the landlord's notice proposing a new rent to the Tribunal for determination of a market rent. The tenant's referral was received by the Tribunal on 25<sup>th</sup> April 2024.
3. In a determination dated 20<sup>th</sup> August 2024 (the "original determination") the Tribunal concluded it had no jurisdiction to deal with the substantive application. By a notice dated 16<sup>th</sup> September 2024, the tenant sought permission to appeal against that decision. On 29<sup>th</sup> October 2024, and in light of the recent decision in *Bank Holdings Limited v Lupo [2024] UKUT 316 (LC)*, the Tribunal reviewed the original determination, set it aside, and directed there should be a substantive determination of the tenant's application.

### Inspection

4. As part of the determination, the Tribunal carried out an inspection of the property on 20<sup>th</sup> January 2025. The tenant was present, and Ms Saunders attended the inspection on behalf of the landlord.
5. The subject property is a furnished studio flat on the ground floor of a five storey building. The parties agree the property is 360 ft<sup>2</sup>.
6. We found the property to be modernised and in a good condition. The tenant complained the air conditioning was not working properly, the Tribunal proceeded on the basis that this is an intermittent fault as it appeared to be working when switched on during the inspection.

### Evidence

7. The Tribunal considered the tenant's evidence from the London Rent Map showing a median market rent for a studio flat in SW5 as £1,473 per month in November 2024. He also provided rental information for other properties: the closest in size (at 384 ft<sup>2</sup>) was located approximately 1/2 mile away, and advertised at £1,885 per month.
8. The Tribunal also considered the landlord's comparable evidence, including a ground floor studio and a third floor studio at 18 Collingham Place. Both were smaller than the subject property, and were advertised to let at £75/ft<sup>2</sup> and £93/ft<sup>2</sup> respectively.

### Determination and Valuation

9. Having consideration of the above evidence provided by the parties and of our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in good tenantable condition would

be in the region of £2,400 per calendar month. This equates to £80/ft<sup>2</sup>. We have taken into account that the rent includes hot water and the internet.

10. The full valuation is shown below:

Market Rent £2,400 per calendar month

*Less*

Less adjustment for the intermittent  
air conditioning (approx. 5%) (£120)

£120  
£2,280.00

11. The Tribunal determines a rent of £2,280.00 per calendar month and this equates to £27,300 per annum.

### **Decision**

12. The Tribunal therefore determined that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under an assured tenancy was £2,280.00 per calendar month.

13. The Tribunal received no evidence of hardship, and therefore directs the new rent of £2,280.00 per month to take effect on 5<sup>th</sup> June 2024, being the date specified in the landlord's notice proposing a new rent.

**Chairman:** Judge Tueje

**Date:** 14<sup>th</sup> February 2025

### **APPEAL PROVISIONS**

These summary reasons are provided to give the parties an indication as to how the Tribunal made its decision. If either party wishes to appeal this decision, they should first make a request for full reasons and the details of how to appeal will be set out in the full reasons. Any request for full reasons should be made within a month. Any subsequent application for permission to appeal should be made on Form RP PTA.