



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

**Case Reference** : **FR/LON/OOBB/MNR/2025/0810**

**Property** : **4 Bishops Avenue, London, E13 0RB**

**Tenant** : **Shakil Rahman**

**Landlord** : **Asif Yasin**

**Date of Objection** : **25 April 2025**

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

**Tribunal** : **R Waterhouse FRICS  
C Piarroux JP**

**Date of Full Reasons** : **22 October 2025**

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**DECISION**

**The Tribunal determines under section 13 Housing Act 1988 £1175 per month from 1 May 2025.**

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**Full REASONS**

## Background

1. On **26 March 2025** the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of **£1600.00 per month** in place of the existing rent of **£1175.00 per month** to take effect from **1 May 2025**.
2. An application dated **25 April 2025** was 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.
3. Directions were issued to the parties on **28 July 2025**.

## Inspection

4. The Tribunal did inspect the property after the hearing and found the property is a purpose built flat within a 1900s terrace each flat in the terrace has its own front door. The two-storey red brick terrace is within an area comprising mainly blocks of flats.
5. The front door to the flat is wood and over the years, its fit with the door frame has deteriorated, and the door has gaps around it causing draughts; the door itself has cracking. The front door leads to a hallway that has laminate flooring, which is in a tired condition. Off the hallway on the right is the first room, this has a bay window which is draughty and there is evidence of leaking. The floor is carpeted with a thin carpet placed on wooden floorboards. The tenant has placed an additional carpet on the floor to reduce draughts. There is evidence of black mould in the room, which it is said means the room has restricted use. There is an old single radiator in the room.
6. Further along the hallway is a second bedroom, this contains bunk beds. The window in the room overlooks the outside passageway to the garden; the window is draughty. There is an old double radiator in this room. The hallway then opens to a room which is partially used as a living room, and at the back, there is a galley kitchen. The kitchen is rudimentary and in tired condition. There is black mould present on the ceiling. Through the door at the end of this room is the bathroom. There are several internal doors which are ill-fitting. The external door to the garden is particularly difficult to shut or open.
7. The guttering to the exterior appears incomplete, and there is evidence of water staining on the exterior of the property.
8. The garden is in very poor condition, There is a passageway which runs behind the terrace to the road beyond. There are no security measures to prevent access of intruders, and the fence between this and the neighbouring property was broken

## Hearing

9. The Applicant Shakil Rahman represented himself. There was no representation from the Respondent. The tribunal had reference to The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 and Practice Directions Rules in

particular Rule 34 which covers whether a hearing should continue in the absence of a party. The tribunal considered it was in the interests of justice to carry on the hearing and where satisfied the Respondent had been properly notified of the hearing.

## **Submissions**

### **Applicant Tenant**

10. The application was accompanied by a Notice of Increase and a copy of the tenancy. The tenancy commenced on **1 November 2017** at a rent of **£1175.00** for 12 months.
11. The applicant tenant's submissions included a series of photographs showing black mould on the ceiling, door, black mould at floor /wall level, around windows.
12. A copy of a “Notice by Local Authority Requiring Execution of Works of Drainage etc in Existing Buildings” dated **22 May 2024**.
13. A copy of a letter titled “Housing Act 2004, Section 12 Improvement Notice”, from London Borough of Newham which itemised issues of “excess cold” and “entry by intruders”.
14. A complete Reply Form detailing the size of the accommodation. That is a flat comprising one living room, one kitchen, two bedrooms, and a bathroom. The property is said to have double glazing, central heating, carpets/curtains and white goods supplied by the landlord.
15. The Reply Form states that the tenant painted the house in 2022, treated and cleaned the mould, and installed via “Government Energy Saving Improvement Plan” a boiler in 2016. Additionally, the tenant states they replaced the furniture and refrigerator and washing machine.
16. The tenant provided details of other properties in the road and their rents. The range was **£1200 to £1300 to £1700 per month**. No details on specification, condition or date the rent was set were given.
17. The tenant in response to the landlords works of **June –July 2024**, asserts they were only partially successful.

### **Respondent Landlord**

18. An e mail dated **15 September 2025** from Elliott Davies stated that works in compliance with the Improvement Notice were undertaken by the landlord between **June and July 2024** at a cost of “over **£8000.00**”. The landlord also reports difficulty in gaining contact from the tenant after communications.
19. The landlord provided a complete reply form the contents of which the tribunal carefully considered.

20. The landlord supplied a comparables report dated **16 August 2025**, the report comprises copies of marketing details which range in rent from **£1650 to £2150 per month**. The details did state whether the quoted rents were achieved or not.
21. Additionally, within the submissions, is a letter to the tenant from Elliott Davis Properties giving guidance on how to reduce the risk of black mould and attributing it to the tenant's "living and lifestyle." This was provided with the initial tenancy documentation.

### **Analysis and valuation**

22. The Notice of Increase dated **26 March 2025** proposes an increase to **£1600 per month** from **£1175 per month** from **1 May 2025**.
23. The tribunal has considered the comparables presented by the parties and using its own expert knowledge, has determined the rent for the property in good tenable order would be **£ 1570.00 per month**.
24. The property condition is taken as that at the date of the Notice; the inspection of **22 October 2025** suggested no material change in condition between the two dates.
25. The tribunal following its inspection finds the property falls short of the condition that would be expected for a property in good tenable condition.
26. The tribunal therefore applies a reduction of **25%** from the rental value of **£1570.00** if it had been in good tenable condition.
27. Application of **25%** reduction gives **£1177.50 per month** say **£1175.00 per month**.

### **Hardship**

28. No application for hardship has been made.

### **Decision**

29. **The Tribunal determines under section 13 of the Housing Act 1988 a rent of £1175.00 from 1 May 2025.**

**Chairman:**        **R Waterhouse FRICS**

**Date:**            **22 October 2025**

### **Appeal to the Upper Tribunal**

A person wishing to appeal this decision to the Upper Tribunal (Property Chamber) on a point of law must seek permission to do so by making a written application to the First-tier Tribunal at the Regional Office which has been dealing with the case which application must:

- a. be received by the said office within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
- b. identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.

If the application is not received within the 28 –day time limit, it must include a request for an extension of time and the reason for it not complying with the 28- day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.