



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

Case Reference : **ME/LON/00BE/MNR/2025/0912**

Property : **86A South Croxted Road, West
Dulwich, London SE21 8BD**

Tenant : **Carol Benson c/o Lily Sparks**

Landlord : **Hamways Ltd**

Date of Objection : **31 July 2025**

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

Tribunal : **Mr. A Parkinson MRICS**

Date of Reasons : **17 November 2025**

DECISION

**The Tribunal determines a rent of £1,500 per calendar month with
effect from 6 November 2025.**

REASONS

Background

1. On 2 July 2025 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,700 per month in place of the existing rent of £1,120 per month to take effect from 6 August 2025.
2. On 31 July 2025 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 31 July 2025.
3. Directions were issued on 24 September 2025 by the Tribunal.
4. The parties were invited to submit any relevant information and submissions. The Tenant and Landlord each submitted a reply form and additional evidence to support their cases.
5. In their reply forms, the Tenant and Landlord both stated that they did not require either an inspection or hearing to be held in this matter. Accordingly, neither an inspection or hearing were held and the matter was dealt with by the Tribunal on the basis of the papers.
6. The property is a ground floor flat comprising three bedrooms, living room, kitchen and bathroom and garden to the front of the property.

Submissions

7. The Tenant submitted a completed reply form setting out a description of the rooms within the property, condition and features of the property. The Tenant stated in the reply form that the property has central heating throughout aside from the living room which does not contain a heating source and that the radiators in the remaining rooms do not adequately heat the property. The windows are single glazed and drafty. The kitchen is dated and unmodernised. There are also uneven floors, cracks to ceilings and damp and mould around windows in bedrooms.
8. The Tenant also submitted a document produced by Ms. Platt (Property Manager) of Platt Properties. This document contains a summary of the condition and defects within the flat and accompanying photographs. In the document Ms. Platt states:

Were the property to be in good normal condition, I would expect to rent a ground floor Victorian conversion flat in this area for between £200-£2200 per month to a family or sharers based on room values of approximately £600, £700 and £800 for the 3 bedrooms

respectively.

However, for the current rental review, I would suggest a minimum discount of 35% be applied, given the condition, which suggests a maximum value of £1365-£1430 pcm.

9. The Tenant has also submitted details of her financial situation setting out her income which is made up of state pension and DWD pension.
10. The Landlord has submitted a completed reply form setting out a description of the rooms within the property. The Landlord stated in their reply form that the property is situated in a sought after residential area with excellent transport links and shopping facilities and social amenities close by. The Landlord has also submitted details of Right Move listed properties as comparable evidence and details of properties situated on South Croxted Road with current rents set out for 1 bedroom, 2 bedroom and 3 bedroom flats at £1,550, £1,900 and £2,000 respectively.

The Law

11. The rules governing a determination of market rent are set out in section 14 of the Housing Act 1988. In particular, the tribunal is to determine the rent for each flat at which the property might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy, subject to disregards in relation to the nature of the tenancy (i.e. it being granted to a “sitting tenant”) and any increase or reduction in the value due to the tenant’s improvements or failure to comply with the terms of the tenancy.
12. In the absence of any evidence to the contrary, the tribunal has proceeded on the basis that the Landlord is responsible for all repairs, internal and external.

Determination and Valuation

13. In the first instance the Tribunal determined what rent the landlord could reasonably be expected to obtain for the subject property in the open market if it were let on the determination date in the condition that is considered usual for such an open market letting. The Tribunal considered the value of the property in light of its local knowledge and experience with regard to the submissions of the Landlord and Tenant.
14. Having consideration of the evidence proved 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 subject property in good tenantable condition would be in the region of £2,000 per calendar month. From this level of rent we have made adjustments in relation to the:

Unmodernised kitchen;
Lack of double glazing and existing window defects;

Lack of heating to the living room and central heating deficiencies;
Lack of white goods; and
Overall condition.

The adjustment is as follows:

	per month
Market rent	£2,000
Less	
Unmodernised kitchen;	)
Lack of double glazing and existing window defects;	)
Lack of heating to the living room;	) approx.. 25%
Central heating deficiencies;	)
Lack of white goods; and	)
Overall condition.	)
	<u>£500</u>
	£1,500

18. The Tribunal determines a rent of £1,500 per calendar month.
19. The Tribunal directs the new rent of £1,500 to take effect on 6 November 2025. The Tribunal was satisfied that a starting date of that specified in the Landlord's notice would cause the tenant undue hardship.

Chairman: Mr. A. Parkinson

Date: 17 November 2025

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28 day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).