



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

Case reference : **LON/00BH/MNR/2025/0909**

Property : **288 Murchison Road, London E10 6LU**

Applicant (Tenant) : **Khalid Drief**

Representative : **None**

Respondent (Landlord) : **Razia Sultana Chowdhury**

Representative : **None**

Type of application : **Section 13(4) Housing Act 1988**

Tribunal members : **Mr D Jagger MRICS
Mr C Piarroux JP**

Hearing Venue : **10 Alfred Place London WC1E 7LR**

Date of Reasons : **8 December 2025**

REASONED DECISION

Decision of the tribunal

- (1) Having heard evidence and submissions from the parties and considered all the documentation provided. The Tribunal determines that the rent that the property in its current condition as at **5 August 2025** might reasonably be expected to achieve under an assured tenancy is **£2,050 per calendar month**.

Background

1. The tenant has lived in the property as assured periodic tenant since **5 July 2018**. A tenancy agreement was provided by the Landlord which was for a period of 12 months at a monthly rent of **£1,700 per calendar month**.
2. On **1 July 2025** the landlord served a notice pursuant to section 13(2) of the Housing Act 1988 seeking to increase the rent from a purported **£2,200 per calendar month** to **£2,300 per calendar month**, being an increase of **£200 per calendar month** effective from **5 August 2025**.
3. By an application **15 July 2025**, the tenant referred that notice to the Tribunal for a determination of the market rent. The Tribunal issued Directions for the conduct of the matter on **15 September 2025**.
4. These reasons address in summary form the key issues raised by the parties. They do not recite each point referred to in submissions but concentrate on those issues which, in the Tribunal's view, are fundamental to the determination.

The Evidence

5. The Tribunal has before it a bundle of evidence which includes a background to the case, the application, the directions, the tenancy agreement, a completed reply statement on behalf of the landlord and a witness statement for the tenant. A survey report dated **20 November 2023** from P.G. Ashton and Sons and an Improvement Notice from the council dated **20 September 2021**. The landlord submitted brief details of comparable lettings in the general area, which ranged from **£2,495 pcm** through to **£2,650 pcm**.

The Hearing

6. The hearing took place at 9.30 am and was attended by Ms. Razia Sultana Chowdhury the landlord. In addition, the landlord had her husband in support.
7. The tenant, Mr Drief did not attend the hearing, and during the inspection, the joint tenant, Mrs Hanane Sahmane, informed the Tribunal members that Mr Drief made a telephone call to the Tribunal to confirm his non attendance.
8. At the hearing, the landlord was provided with the opportunity to outline her case. The supporting documents set out a chronology of events and the schedule of works undertaken by the landlord. The Tribunal does not propose to provide the details in this decision. The landlord was asked by the Tribunal to focus on the matters which affect rental value and not the “tit for tat” point scoring in connection with a turbulent history between the parties, where it is evident communication has broken down.
9. As a preliminary matter, the Tribunal were aware that there is an ongoing dispute between the parties concerning a previous notice which sought to increase the rent to **£2,200** from the original rent in the agreement, being **£1,700**. The tenant claims he did not receive such notice. This matter is beyond the Tribunal’s jurisdiction, and this Tribunal can only consider the current application.
10. For completeness, Section 13(2) of the Housing Act 1988 provides as follows “ *For the purpose of securing an increase in the rent under a tenancy to which this section applies, the landlord may serve on the **tenant** a notice in the prescribed form proposing a new rent to take effect at the beginning of the new period of the tenancy specified in the notice, being a period beginning not earlier than the minimum period after the date of the service of the notice.* ”
11. Therefore, it is for these reasons the Tribunal considers that the current Notice was valid and it does have jurisdiction to consider this matter.

The Tenants Case

12. Mr Drief states that the property still suffers from persistent mould and this factor should be taken into account when assessing the rental value. No comparable evidence was provided to the Tribunal.

The Landlords Case

13. Mrs Chowdhury stated that significant works have been undertaken to the property following the survey report. In addition, she contends that the property was redecorated. The comparable evidence provided in his statement provides verification that a rent increase to **£2,300 per calendar month** is correct in the current market and makes an allowance for the property type.

Inspection

14. The Tribunal inspected the property following the hearing on the afternoon of **8 December 2025** in the presence of the tenant (Mrs Hanane Sahmane), and the landlord. The property is a 1970s built ex local authority mid terrace house with an enclosed front and rear garden. The property is located in a walkway position close to local amenities and railway station.
14. The accommodation comprises: three bedrooms, living room, kitchen, bathroom, WC. The windows are double glazed and there is gas central heating.

The Law

15. The rules governing a determination are set out in section 14 of the Housing Act 1988. In particular, the Tribunal is to determine the rent 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. In the absence of any evidence to the contrary, the Tribunal has proceeded on the basis that the landlord is responsible for repairs to the structure, exterior and any installations pursuant to section 11 of the Landlord and Tenant Act 1985 and the tenant for interior decoration.

The Valuation

16. Having carefully considered all the evidence the Tribunal considers that the rent that would be achieved in a good marketable condition with reasonably modern kitchen and bathroom fittings, modern services, carpets, curtains and white goods supplied by the landlord would be **£2,200 per calendar month**. This figure is based upon the comparable evidence provided by the landlord and Tribunal’s professional judgement and experience of rental values in the Leyton area. This evidence was for Victorian three-bedroom houses in the area. The Tribunal is of the opinion that these are superior properties and an adjustment **of £300** has been made in order to calculate the above figure. (i.e. **£2,500 less £300**)

17. Next, the Tribunal needs to adjust that hypothetical rent of **£2,200 per calendar month** to allow for the slightly dated kitchen and bathroom fittings, damaged floor coverings, damaged internal doors, and mould to some internal walls.
18. The Tribunal has considered very carefully the information provided by the tenant and the findings during the inspection. Using its own expertise, the Tribunal considers that a deduction of **£150 per calendar month** from the hypothetical rent. This reduces the figure to **£2,050 per calendar month**.
19. It should be noted that this figure cannot be a simple arithmetical calculation and is not based upon capital costs but is the Tribunal's estimate of the amount by which the rent would need to be reduced to attract a tenant.
20. In his witness statement, the tenant made an application to the Tribunal under s14(7). This provision allows the Tribunal to defer the date of increase to the date of determination if it appeared to the Tribunal that it would cause hardship to the tenant. The tenant states they are on Universal Credit and has hardship making the rental payments, and arrears have built up.
21. During the hearing, when questioned by the Tribunal, the landlord says there are up to 6 occupants in the property. As such, this is a working household. The landlord also stated that the rent had been paid for some time through housing benefit, and that this had stopped, with the Landlord believing that the tenant could now afford to pay themselves direct.
22. The Tribunal has considered this request and on the balance of the evidence provided, the conclusion of the Tribunal is that there is insufficient substantiation to show such undue hardship
21. Therefore, the rent determined by the Tribunal is to take effect from **5 August 2025** in accordance with the landlord's notice.

D Jagger MRICS Valuer Chair

8 December 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).