



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

Case Reference : **LON/00BK/MNR/2025/0966**

Hearing Type : **By way of written representation**

Property : **Flat 192, Dibden House Maida Vale, London, W9 1QQ**

Applicant : **Tamara Kaniuk (Tenant)**

Representative : **In person**

Respondent : **Grainger Invest No 1 LLP (Landlord)**

Representative : **In person**

Type of Application : **Referral in Respect of Market Rent Under Section 13 of the Housing Act 1988**

Tribunal Members : **J. A. Naylor FRICS FTPI
Property Management
Valuer Chairman**

Ms C. Barton MRICS

Date of Hearing : **N/A**

Date of Inspection : **16th January 2026**

Date of Full Reasons : **26th January 2026**

**STATEMENT OF FULL REASONS ON AN APPLICATION FOR
DETERMINATION OF A MARKET RENT UNDER S. 13 AND 14 OF THE
HOUSING ACT 1988.**

REASONS

Background

1. On 28th August 2025, the landlord served a Notice under Section 13(2) of the Housing Act 1988 proposing an increase in the rent of the above property from the passing rent of £1,384.50 per month to £1,494.71 per month.
2. On 9th September 2025 the tenant made an application to the Tribunal for the determination of a market rent.
3. The original tenancy was believed to have begun 18th November 2005.
4. The tenant occupies the property by way of an Assured Periodic Tenancy.
5. By way of a letter dated 12th November 2025 the Tribunal issued directions. These required the landlord to provide details of evidence on which they wished to rely by way of reply by 1st December 2025. The tenant was directed to do the same by 15th December 2025, and the landlord was given until 22nd December 2025 for his response thereto.
6. The Tribunal wrote to the parties confirming details for an inspection to take place on 16th January 2026
7. Both parties took the opportunity to make submissions.
8. In consideration of the Market rental value of the subject property, the Tribunal has taken into consideration all documentation before it, including various letters and the reply forms returned by parties.
9. By way of a letter / email dated 9th September 2025 and repeated on 12th November 2025, the tenant states that the property was a shell at the commencement of the tenancy, on 18th November 2005, originally occupying on 6th October 1994.
10. The confirm that they have undertaken various improvements, including the application of anti-mould paint, the replacement of lino with carpet, installing ceiling lights, replacing damaged door handles, refitting the kitchen, including a hob cooker and wall sockets, and the provision of whitegoods, the refitting of the bathroom, the retiling of the bathroom, and the installation of cupboards, built-in

wardrobes, and the provision of curtains. By way of comparison, they refer to Regal Court where rents are £1,950 per calendar month, and also a previous decision of the First-Tier Tribunal.

11. The tenants Reply form confirms that the tenant does not require a hearing but would like an inspection. They confirmed the flat to be on the second floor and provided accommodation and room measurements.
12. The tenant confirms the property has central heating and double glazing, and that they provided the whitegoods and carpets, and undertook various improvements as stated in previous correspondence. They say that the flat is near a public house and suffers from noise therefrom but is otherwise well-connected and good for transport.
13. By way of a document dated 14th December 2025 the landlord has provided screenshots from Zoopla providing comparable evidence, including a two-bedroom flat in Dibdin House at £2,132 per calendar month.
14. Evidence of other properties is provided but information provided is too limited to be of much assistance to the Tribunal.
15. In the landlord's Reply form the landlord states that they do not want either an inspection, or a hearing. They provide details of the accommodation with floor areas and confirm that the property does have central heating and double glazing and that the tenant has provided whitegoods and carpets.
16. The landlord states that the property has no garage, parking space, or gardens but say that there is a communal garden.
17. They say they are unaware of any defects affecting the property and that it is well-placed.
18. In conclusion, the landlord says that they think that the rent of the property, fully modernised, would be £2,300 and after making deductions for the tenant's improvements, this would be £1,840. Nevertheless, they are seeking £1,663.33.

Hearing

19. No hearing.

Hardship

20. The Tribunal did not receive any submissions on hardship.

Inspection

21. The Tribunal attended the property to undertake an inspection on 16th January 2026.
22. It was apparent that the property was originally constructed as a purpose-built flat in a 1930s block.
23. The accommodation comprises a flat on the second floor comprising an entrance hall, lounge, two bedrooms, and bathroom/WC. There is a small balcony accessed from the Kitchen
24. During the inspection, the tenant was present.
25. Neither the landlord nor any representative on his behalf were present.
26. On arrival the Tribunal notified the tenant that they should be provided with access to all possible areas of the property but that she could not provide any additional evidence nor engage in conversation about the property nor the rental value thereof.
27. All rooms were accessible.
28. CONDITION
29. The flat sits in an estate which the Tribunal believes may originally have been part of the developments completed by the London County Council or a similar corporate body.
30. It comprises a number of blocks built to varying heights but relatively low level and is arranged to face inward around a central garden and play area.

31. It is clear that the block is fairly well-maintained, and it was clean and tidy, as were the grounds. Security of, and access to, the block has been improved by the installation of gates and glass lobbies with an entry phone system for each.
32. Internally, the subject flat was found to be in very good condition, but the tenant's comments are noted, as is the confirmation by the landlord, which indicates that all fixtures, fittings and decorations, including the fitting of the kitchen and bathroom areas, are the tenant's improvements.

The Law

33. When determining a market rent in accordance with the Housing Act 1988 Section 13 regard must be had to all of the circumstances (other than personal circumstances) including the age, location and state of repair of the property, matters contained within the rent, repairing obligations, etc. This means that issues such as the tenant's ability to pay the rent or bills associated with the property are not a consideration for the tribunal in assessing the rent.

Valuation

34. Following consideration of the written and photographic submissions given by both parties, taking into account the Tribunal's inspection and using its own knowledge and experience of the rental market in Maida Vale, the Tribunal finds that the market rental value of the property, if it was in good condition, would be £2,300 per month.
35. Taking into account the lack of modernisation and the general disrepair excluding tenants' improvements the Tribunal considers it necessary to adjust that market rental value to reflect specifically the following:
 - i) The tenant's full decorating liability.
 - ii) The tenant's provision of carpets.
 - iii) The fact that the tenant has fitted the kitchen.
 - iv) The fact that the tenant has fitted the bathroom.
 - v) Evidence of condensation.
36. Taking these and other more general factors into consideration, the Tribunal finds that it is necessary to make a 28% deduction in the market rental value of the property to reflect its condition and lack of modernisation.

Valuation Calculation

37.	Open market rent	£2,300 per month
	Deduction for adjustments detailed above 28% =	£644 per month
	Adjusted rent	£1656 per month

The Tribunal therefore determines that the market rental value of the property should be set at a figure of £1656.00 per month.

Hardship

38. The tribunal received no submissions on hardship.

Chairman: J. A. Naylor FRICS

Valuer Chairman

Date: 26th January 2026

ANNEX OF RIGHTS FOR MARKET RENTS

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 might 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 this 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. Any appeal in respect of the Housing Act 1988 should be on a point of law.

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