FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	**LON/00BK/MDR/2025/0019**
Property	**:**	**Basement Flat 96 Harley Street London W1G 7HY**
Tenant	**:**	**Miss Sharon Boll**
Landlord	**:**	**Dr Robin Lawrence**
Type of Application	**:**	**Section 22 Housing Act 1988**
Tribunal Members	**:**	**Mrs E Flint FRICS** **Ms C Barton MRICS**
Date and venue of Hearing	**:**	**20 February 2026** **10 Alfred Place London WC1R 7LR**

DECISION

The Tribunal determines a rent of £2,250 per calendar month with effect from 15 October 2025

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Background

1. The tenant occupied the flat under a tenancy for two years from 4 June 2025, with a break clause in February 2026 at a rent of £2,678 per calendar month.

2. On 15 October 2025 under Section 22 of the Housing Act 1988, the Tenant referred the rent to the Tribunal for a determination of the rent.

3. Directions were issued on 8 December 2025.

Inspection

4. The flat is approached via steps from the pavement. Access to the flat was via a corridor which also provided access to several treatment rooms and another flat. There was a cage style lift close to the flat entrance door. The flat itself comprised a large ling room/kitchen with an opening to a sleeping area in former vaults. A door off the living room led to the shower room/wc which was fitted with several cupboards providing hanging space and shelving. There was no window in the sleeping area, there was a fire escape door. The windows in the studio area faced onto a lightwell. The glass was obscured. The light in this room was poor, there was no view, not even of the small lightwell.

5. The standard of accommodation itself was good and the flat was fully furnished. The heating appeared to be higher in the corridor than in the flat, despite the radiators being on at the time of our inspection.

Evidence

6. The landlord and tenant made submissions which they copied to the other party.

7. The tenant stated that the flat was within the basement of a clinical building; consequently, there were patients attending for treatment in the rooms surrounding her accommodation into the evening. There was disturbance from the lift. The thermostat for the central heating was in the ground floor reception area. She did not like having to go to the reception area to change the temperature and was advised that making such changes was not convenient for the clinic. The tenant did not consider that the accommodation provided reasonable residential accommodation. The windows were single glazed.

8. The landlord submitted a detailed submission with photographsregarding the standard of the accommodation which had

been refurbished prior to the tenant moving in and referred to a number of comparables of one bedroomed flats within a short distance of the subject at rents from £2,650 to £2925 per month in support of his contention that the passing rent was reasonable.

Valuation

9. The properties referred to by the landlord were one bedroomed flats, none were at basement level. Whereas the subject is effectively a studio as the sleeping area had no window or ventilation or indeed door to separate it from the living area. We determined that residential accommodation in essentially clinical surroundings which were in use into the evening would command a lower rent than studio flats in residential buildings.

10. The lack of any view together with the effective control of the heating system for the benefit of the clinicians and their patients were further disadvantages when compared with a traditional dwelling. We determined that although there are a reasonable supply of studios available to let on the open market the rental value of the subject as at 15 October 2025 was £2,250 per month to reflect the particular disabilities of the subject property.

Decision

11. The Tribunal directs a rent of £2,250 per month be effective from 15 October 2025.

Chairman: E Flint **Date: 23 February 2026**

ANNEX - RIGHTS OF APPEAL

I. 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 should be made on Form RP PTA available at https://www.gov.uk/government/publications/form-rp-pta-application-for-permission-to-appeal-a-decision-to-the-upper-tribunal-lands-chamber

II. 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.

III. 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.

IV. 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. Please note that if you are seeking permission to appeal against a decision made by the Tribunal under the Rent Act 1977, the Housing Act 1988 or the Local Government and Housing Act 1989, this can only be on a point of law.

Appendix

Housing Act 1988

S22 Reference of excessive rents to appropriate tribunal.

(1) Subject to section 23 and subsection (2) below, the tenant under an assured shorthold tenancy may make an application in the prescribed form to the appropriate tribunal for a determination of the rent which, in the appropriate tribunal's opinion, the landlord might reasonably be expected to obtain under the assured shorthold tenancy.

(2) No application may be made under this section if—

(a)the rent payable under the tenancy is a rent previously determined under this section; .

(aa)the tenancy is one to which section 19A above applies and more than six months have elapsed since the beginning of the tenancy or, in the case of a replacement tenancy, since the beginning of the original tenancy; or

(b)the tenancy is an assured shorthold tenancy falling within subsection (4) of section 20 above (and, accordingly, is one in respect of which notice need not have been served as mentioned in subsection (2) of that section).

(3)Where an application is made to the appropriate tribunal under subsection (1) above with respect to the rent under an assured shorthold tenancy, the appropriate tribunal shall not make such a determination as is referred to in that subsection unless they consider—

(a)that there is a sufficient number of similar dwelling-houses in the locality let on assured tenancies (whether shorthold or not); and

(b)that the rent payable under the assured shorthold tenancy in question is significantly higher than the rent which the landlord might reasonably be expected to be able to obtain under the tenancy, having regard to the level of rents payable under the tenancies referred to in paragraph (a) above.

(4)Where, on an application under this section, the appropriate tribunal make a determination of a rent for an assured shorthold tenancy—

(a)the determination shall have effect from such date as the appropriate tribunal may direct, not being earlier than the date of the application;

(b)if, at any time on or after the determination takes effect, the rent which, apart from this paragraph, would be payable under the tenancy exceeds the rent so determined, the excess shall be irrecoverable from the tenant; and

(c)no notice may be served under section 13(2) above with respect to a tenancy of the dwelling-house in question until after the first anniversary of the date on which the determination takes effect.