

FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	**TR/LON/OOBK/MNR/2025/0979**
Property	**:**	**Flat 138 Dibdin House, Madia Vale, London W9 1QG**
Tenant	**:**	**Birgitte Tina Lukie**
Landlord	**:**	**Grainger PLC**
Date of Objection	**:**	**15 September 2025**
Type of Application	**:**	**Determination of a Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal	**:**	**R Waterhouse FRICS** **J Francis QPM**
Date of Full Reasons	**:**	**16 February 2026 amended 13 March 2026**

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DECISION

The Tribunal determines a rent of ~~£1610.00~~ £1491.00 per calendar month to be paid from 1 November 2025 under the Housing Act 1988 section 13.

Full Reasons

The Applicant made an application for permission to appeal the decision of the 16 February on several grounds. The tribunal has reviewed the decision under Tribunal Procedure Rules (First-tier Tribunal) (Property Chamber) 2013 Rule 55, the decision is amended as below in red.

Background

1. A Notice dated 27 August 2025 was served by the Landlord under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1663.66 per calendar month in place of the existing rent of £1541.00 per calendar month to take effect from 1 November 2025.

2.An application dated 15 September 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. The application was accompanied by the Notice of Increase of Rent and, a copy of the tenancy agreement which was initially commenced on 1st February 1997 up to and including 31 July 1997 at a rent of £416.00 per calendar month.

4. Directions were issued to the parties on 22 November 2025.

Inspection

5. The Tribunal did inspect the property after the hearing and found the property is located within two courtyard blocks constructed in the 1930's, in the North section of Madia Vale. The blocks have solid walls and there is no lift. The communal access stairs are concrete and clean in nature. The flat is located on the third floor. The flat has two double bedrooms, a living room, kitchen and bathroom. The Tribunal observed mould in some of the corners of the rooms of the property.

The Hearing

6. The hearing was attended by the tenants and a representative of the landlord.

Submissions

Applicant Tenant

7. The Applicant Tenant provided several documents to the Tribunal including the Notice of Increase, the tenancy agreement, a letter dated 1 December 2025 to the Tribunal, photographs, and a completed Reply Form.

8. The letter of the 1 December 2025 noted the condition of the property at the point of moving in. The condition is set out as bare concrete floors, old and

battered wallpaper, the flat was refurbished at the tenant's costs installing white goods, furniture and redecoration. In 2007 the tenants refurbished the flat at a cost of £20,000 this comprised new kitchen, and flooring. Additionally, a new boiler, WC, wash hand basin, bath taps, shower hose, and tiles fitted. The living room and bedroom (second) were re decorated and had bespoke storage space added. The letter noted the landlord replaced the windows with double glazing which has resulted in damp, mould, draughts and increased noise levels. The letter gives reference to previous First tier Tribunal decisions.

9. During the hearing the tenant asserted the property had central heating when they took the tenancy in 1997 and that the boiler had been replaced by the tenant. Within the kitchen an old boiler area and coal storage area had been removed and cupboard installed. The tenant had decorated, refloored and replaced the kitchen fully including the white goods. The bathroom had the original bath.

10. In terms of valuation the tenant relied on a couple of First-tier Tribunal cases and acknowledged the comparable on "zoopla" for a property in good condition with an asking rent of £2132 per month. From the photographs of the property, it appeared to be first floor.

11, Taking the evidence into account the tenant relied on the decision on number 8 of the Tribunal at £1040 pcm in 2024, which they had indexed forward to today's date with an 8% up lift giving £1128 pcm.

Respondent Landlord

12. The Respondent forwarded to the Tribunal a summary of their valuation.

Respondent's estimate of value was £2312 per month. ~~Rent of comparable properties in good condition £ 2312 per month~~
Less £100 for tenants' responsibility of white goods, blinds, floor coverings, decoration
Less £ 75 for aged kitchen
Less £75 for aged bathroom
Less £210 for scarcity.

13. This results in an adjusted rent of £1852.00 per month so the landlord concludes the request for £1663.33 per month is reasonable.

14. The Landlord also submits a completed Reply form which confirms the landlord provided the double glazing, the central heating and the tenant the carpets, curtains and white goods.

15. The landlord's representative was in agreement with the tenant's description of the property condition as let and also relied on the same comparable at £2132 pcm.

Analysis and Value

16. The Tribunal has considered all the submission made to it. **The tribunal notes the comparable that both parties agree on that of a market rent for a property in good condition in the block being £2132 pcm. The Tribunal has considered the suggested market rent for the property by the Respondent of £2300. The tribunal however places considerable weight on the mutually agreed comparable of £2132 per month and**
~~of £2312 per month, and using its expertise of rents in the vicinity~~ determined the rent of the property in good order would be ~~£2300~~ **£2130** per month given the nature of the block.

17. The Tribunal has placed little weight on the other Tribunal decisions as the best evidence is that from the market. The Tribunal has placed some weight on the landlord's valuation but the determination is on the basis of market rent and not a fair rent so disregards the "scarcity" element .

18. The Tribunal has had reference to the specific condition of the property as expressed in the submissions and supplemented by the oral testimony. The comparable in the block has the benefit of exhibiting the same characteristics of the subject property in terms of nature of block and potential issues with the windows.

10. The Tribunal finds the property as at 1997 as that described by the tenant, with the addition of a new boiler subsequently by the tenant.

20. The Tribunal has made the following adjustments for the condition and specification of the property.

Market Rent per calendar month ~~£2,300~~ **2130** per month
Less Bathroom improvements)
Kitchen improvements)
Carpets, curtains and white goods)
Condensation and mould)
Tenant's decorating liability)
New boiler)

Deduction of 30% applied ~~£645~~ **639**

Determined Rent ~~£1,610.00~~ **1491.00** per month.

Undue Hardship

21.. The Tenant has not made an application for hardship so in the absence of such the Tribunal finds the effective date of the rent increase in the notice that is, 1 November 2025.

Decision

22. The Tribunal determines ~~£1610.00~~ 1491.00 per calendar month from 1 November 2025 in accordance with section 13 of the Housing Act 1988

Chairman: **R Waterhouse FRICS**

Date: **16 February 2026 amended 13 March 2026**

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.