



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

Case reference : **LON/00BH/HBA/2025/0002**

Property : **213A Chingford Mount, London E4 8LP
6 Poplars Road, London, E17 9AT
Flat B, 29 Arcadia Road, London, E17
8BN
15 Cazenove Road, London E17 4NP**

Applicant : **London Borough of Waltham Forest**

Respondent : **Mudasser Khan**

Type of application : **Application for a Banning Order**

Tribunal : **Judge Shepherd
Mr Charles Norman FRICS
Louise Crane MCIEH**

Date of Decision : 27th March 2026

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Decision

A Banning Order is imposed for a period of three years. The order is attached to this decision.

Reasons

1. This is an application for a Banning Order brought pursuant to s.15 of the Housing and Planning Act 2016 (“HPA 2016”). The Applicant is the London Borough of Waltham Forest (“The Applicant”). The Respondent is Mudasser Khan (“The Respondent”). The Applicant relies on the fact that the Respondent has been convicted of six banning order offences and has been the subject of four other civil penalty notices. They also rely on the fact that the Respondent is already on the Database of Rogue Landlords and Property Agents. They are seeking a Banning Order for a period of three years.

2. The Respondent is a landlord with a number of properties in Waltham Forest. He operates through an organisation called Property Trend Lettings Limited of which he is the Director. On 12 March 2024 he was summonsed to appear at the Magistrates’ Court for the offences of failing to licence properties under Parts 2 and 3 of the Housing Act 2004. On 18 June 2024 he was found guilty of the following six offences in respect of four separate properties:

a. Failing to licence 231A Chingford Mount Road, London, E4 8LP contrary to section 72(1) of the Housing Act 2004.

b. Failing to comply with the following regulations made under the Management of Houses in Multiple Occupation (England) Regulations 2006 at 231A Chingford Mount Road, London, E4 8LP contrary to section 234 of the Housing Act 2004: Failed to comply with Regulation 4(2) and 4(4) – defective fire alarms, no heat alarm or fire door to the kitchen; and failed to comply with Regulation 7(1) – failed to ensure that all common parts were maintained in good and clean decorative repair in that there was a hole in and water staining

to the ceiling, broken cupboard and door handles, a broken window, a defective electrical switch to the kitchen boiler, a defective light pull, loose toilet seat and a bathroom window which would not close, and an ill-fitting front door to the property.

c. Failing to licence 6 Poplars Road, London, E17 9AT contrary to section 72(1) of the Housing Act 2004.

d. Failing to comply with the following regulations made under the Management of Houses in Multiple Occupation (England) Regulations 2006 at 6 Poplars Road, London, E17 9AT contrary to section 234 of the Housing Act 2004 : Failed to comply with Regulation 4(2) – There were no fire alarms to the ground or first floor hallways and no heat sensor in the kitchen and failed to comply with Regulation 7(1) – failed to ensure that all common parts were maintained in good and clean decorative repair in that there was mould present around the front door and to the walls in the ground floor hallway, water staining to the ceiling of the first-floor hallway, penetrating damp to the wall of the bathroom, damp to the wall and a defective thermostat in the living room.

e. Failing to licence Flat B 29 Acacia Road, London, E17 8BN contrary to section 95(1) of the Housing Act 2004.

f. Failing to licence Upper Flat, 15 Cazenove Road, London E17 4NP contrary to section 95(1) of the Housing Act 2004.

3. On 24 January 2025 the Respondent was sentenced for the six offences above and fined a total of £44,600.

4. In addition to the offences listed above, it is important to note that the Respondent has been issued with financial civil penalties for failures to licence the following four other properties contrary to s72(1) Housing Act 2004:

a. Ground Floor Flat, 7 St Marys Road, London, E17 9RG (7 February 2024)

b. First Floor Flat, 7 St Marys Road, London, E17 9RG (7 February 2024)

c. Second Floor Flat, 7 St Marys Road, London, E17 9RG (7 February 2024)

d. 17 Cromwell Road, Walthamstow, London, E17 9JN (10 April 2024)

5. On 24 November 2024 the Council served on the Respondent a notice of its intention to seek a banning order. The notice was issued within six months of the Respondent's conviction on 18 June 2024. He made no representations in response. This application was made on 18 February 2025.

6. The Banning Order application was originally due to be heard on 30 July 2025. The matter was adjourned to allow for reservice as there was a concern that the Respondent had not been served at his last known address.

7. The Respondent attended the hearing but failed to make any written submissions despite directions inviting him to do so. The Applicant was represented by Mr Fitzsimmons of Counsel. The application was supported by witness statements of two officers, Sarah-Jayne Christie (Licensing Enforcement Officer) and Carol Haynes (Private Sector Housing and Licensing Team Manager) and statements from occupiers of the various properties concerned.[]

The Law

8. Part 2 of the Housing and Planning Act 2016 concerns “rogue landlords and property agents”: s.13(1). A local housing authority in England may apply for a banning order against a person who has been convicted of a Banning Order offence (s.15(1)) as prescribed by reg.3 Housing and Planning Act 2016 (Banning Order Offences) Regulations 2018 (SI 2018/216).

9. Breaches of ss.72, 95 and 234 HA 2004 will be banning order offences unless the offender is discharged absolutely or conditionally: reg.(3)(a) of the 2018 Regulations.

10. Before making such an application, the authority must within six months of conviction give the person notice of intended proceedings informing him of the reasons it proposes to apply for such order, and inviting him to make representations, which it must then consider: ss.15(3)-(4), (6), 16(2) of the 2016 Act.

11. There is thereafter no time limit for the bringing of an application to the FTT: *Hussain v Waltham Forest LBC* [2020] 1 WLR 2723, LC at §172. If (and only if) the authority has complied with s.15, the Tribunal may make an order against a person who has been convicted of such offence and who was a residential landlord or property agent at the material time: s.16(1)-(2) HPA 2016.

12. In deciding whether to make an order, the Tribunal must consider the seriousness of the offence, any previous convictions for banning order offences, whether the person has been included in the database of rogue landlords and property agents and the likely effect of the Banning Order on the subject and any other person who may be affected: s.16(4) HPA 2016.

13. A person against whom a banning order is made is a rogue landlord or property agent: ss.13(1), 29(1) HPA 2016. The ban must last at least 12 months: s.17 HPA 2016. The subject is banned from letting housing and/or managing property: ss.14(1), 55-56 HPA 2016. He may also be banned from being involved in a body corporate that carries out an activity from which he is personally banned: s.18(1) HPA 2016.

14. The Ministry of Housing, Communities and Local Government issued non-statutory guidance entitled “Banning Order Offences under the Housing and Planning Act 2016” in April 2018. It materially provides as follows:

a. The Government intends to “crack down on [rogue] landlords and disrupt their business model”: Foreword.

b. “The Government is clear that the small minority of rogue landlords [...] who knowingly flout their legal obligations, rent out accommodation which is substandard and harass their tenants should be prevented from managing or letting housing”: Foreword.

c. Banning orders are aimed at “rogue landlords who flout their legal obligation and rent out accommodation which is substandard. We expect banning orders to be used for the most serious offenders”: para.1.7.

d. Local housing authorities should develop their own policies on when to seek a banning order, and should pursue a banning order “for the most serious offenders”: para.3.1.

e. When deciding whether to seek a banning order the authority should consider (para.3.3):

i. The seriousness of the offence, by reference to the sentence imposed; “the more severe the sentence imposed by the Court, the more appropriate it will be for a banning order to be made”.

ii. Whether the landlord has previous convictions for banning order offences, has received civil penalties for such offences, or is on the Database; “a longer ban may be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities”

iii. Any harm to the tenant; “the greater the harm or the potential for harm [...], the longer the ban should be”; those offences that are “more directly related to the health and safety of tenants [...] can] be considered more harmful than other offences”.

iv. Punishment of the offender, where the length of the ban (rather than the question whether to impose a ban at all) “should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending”; there should be

a “real economic impact on the offender”.

v. Deterrence, both for the offender and for others.

f) The FTT may have regard to the Guidance: para.5.2

The hearing

15. The hearing took place on 9th February 2026. At the end of the hearing the parties were invited to make further submissions on the form of any order made. The Respondent did not submit any further argument.

16. Mr Fitzsimmons took the Tribunal through the offences committed by the Respondent. He confirmed that a notice of intention had been served within 6 months of the offences.

17. Sarah Jane Christie gave evidence. She was the Licensing Enforcement Officer. She explained each of the offences in detail.

18. Carol Haynes, the Private Sector Housing and Team Manager explained how the decision to seek a Banning Order was made. She said the offences were serious because the properties could not be regulated if they were not licensed. In addition, there was a breach of the HMO regulations which included significant failings in relation to fire safety. The financial penalties imposed on the Respondent had not been paid.

19. For his part the Respondent said that he had not had notice of the offences and this is why he had not attended the hearings in the Magistrates' Court. He was not contrite and offered no mitigation. He barely seemed to acknowledge the seriousness of the offences.

Determination

20. We are satisfied that a Banning Order is appropriate in this case. The Respondent has been convicted of extremely serious housing offences. Further although he appears to have no previous convictions the fact that he now has six is significant. We recognise that the Banning Order is a serious and draconian remedy which will affect the Respondent's livelihood but of more importance is the fact that he is a threat to the safety of occupiers of private rented property. Until he shows some awareness and understanding of the importance of regulation by the Local Authority he is not fit to have any direct involvement with managing property. He says he had no notice of the hearings in the Magistrates' Court but we question whether this is true. It seems more likely that the proceedings were simply ignored until such time as the Banning Order and the implications for his livelihood were threatened. In any event the convictions stand until such time as they are successfully appealed.

21. We are also satisfied that the Applicant gave the requisite notice of intention to pursue the order. In sum we consider that a Banning Order for three years is appropriate and we approve the draft order prepared by Mr Fitzsimmons which also

takes into account the effect of the order on existing occupiers. The approved order is attached to this decision.

Judge Shepherd

5th April 2026

RIGHTS OF APPEAL

1. 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.

2. 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.

3. 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.

4. 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.

**IN THE FIRST-TIER TRIBUNAL
No. LON/00BH/HBA/2025/0002**

Case

**PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

LONDON BOROUGH OF WALTHAM FOREST

Applicant

-and-

MR MUDASSER KHAN

Respondent

BANNING ORDER

Housing and Planning Act 2016

BEFORE Judge Shepherd sitting in the First-tier Tribunal, Property Chamber (Residential Property) at 10 Alfred Place, London, WC1E 7LR on 9 February 2025, with Tribunal members Mr Norman and Ms Crane.

UPON considering an application by the Applicant for a Banning Order against the Respondent pursuant to s16 Housing and Planning Act 2016.

AND UPON hearing from Counsel for the Applicant and the Respondent appearing in person.

IT IS ORDERED

1. **MUDASSER KHAN**, of 623 High Road, Leyton, London, E10 6RF, **IS BANNED** from:
 - a. Letting housing in England;

- b. Engaging in English letting agency work;
 - c. Engaging in English property management work; or
 - d. Doing one or more of those things.
2. **MUDASSER KHAN IS ALSO BANNED** from being involved in any body corporate that carries out any of the activities listed in paragraph 1 above. He may not act as an officer of such a body corporate or directly or indirectly take part in, or be concerned in, its management.
3. These bans take effect from the date of this Banning Order and will last for a period of **THREE YEARS**. They will therefore last until 5th April 2029
4. In recognition of the need for appropriate transitional arrangements to be made in respect of existing tenants, the bans are subject to the following exception. Mr Khan may continue to let housing and engage in English property management work in respect of any existing tenancies in which he is directly or indirectly involved, whether personally or through a body corporate, for a period of up to **SIX MONTHS** from the date of this Order. During this six month period and before it has come to an end, he must engage the services of a Propertymark, SafeAgent and/or UK Association of Letting Agents (UKALA) accredited letting agent (a) with whom neither he nor any company with which he is concerned is either involved or associated and (b) whose engagement is first approved by the Council in writing (consent not to be unreasonably withheld), to take over the management of any existing tenancies. For the avoidance of doubt, Mr Khan may not grant or be involved directly or indirectly in the grant of any new tenancies during this six month transitional period.