

	<p>FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)</p>
<p>Case Reference</p>	<p>LON/00AP/MNR/2026/0116</p>
<p>Property</p>	<p>159 Rosebery Avenue, Tottenham, London N17 9SG</p>
<p>Tenant</p>	<p>Mary Buckman</p>
<p>Tenant's Representative</p>	<p>None</p>
<p>Landlord</p>	<p>Honora Moynahan</p>
<p>Landlord's Address</p>	<p>3 Swindon Gardens, London RH3 9RH</p>
<p>Landlord's Representative</p>	<p>None</p>
<p>Date of Application</p>	<p>11 February 2025</p>
<p>Type of Application</p>	<p>Determination of a Market Rent sections 13 &amp; 14 of the Housing Act 1988</p>
<p>Tribunal Members</p>	<p>Mr D Jagger MRICS Mr I Rakhy</p>
<p>Date of Decision</p>	<p>19 May 2026</p>
<p>Rent Determined</p>	<p>£1,950 per calendar month</p>
<p>Date the new rent takes effect</p>	<p>23 February 2026.</p>

## REASONS FOR THE DECISION

### Background

1. On 22 December 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2,500 per calendar month (pcm) in place of the existing rent of £1,300 per month to take effect from 23 February 2026. This being an increase of £1,200.
2. On 11 February 2026, 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. It is stated that the assured tenancy commenced on the 9 June 2011, The Tribunal were presented with a copy of the agreement at an initial passing rent of £278.92 per week. The tenancy was for a term of 12 months; therefore, this is a statutory tenancy agreement.

### Allocation of Repairs between Landlord and Tenant.

4. *As per section 11 of the Landlord and Tenant Act 1985.*

### Services Charges or furniture provided by Landlord:

5. Three wardrobes were provided by the Landlord
6. No service charges.

### Liability for Council Tax

7. The Tenant is responsible for the payment of Council Tax in respect of the Property. The rent determined is exclusive of Council Tax.

### Any other terms of the tenancy taken into consideration in determining the rent.

8. It is assumed; there are none.

## Inspection/Hearing

9. The tenant requested inspection. On the 7 April 2026, Judge Westby confirmed in Directions that an inspection was not necessary nor proportionate, given the extensive photographic evidence provided.
10. The Tribunal has therefore, considered this case on the basis of the papers, together with the papers provided by the parties, Rightmove, and its own knowledge and specialist expertise.

## The Property

11. The Property is a mid terrace Victorian house. The accommodation comprises, three bedrooms, living room, dining room, kitchen and bathroom. The house has an EPC Rating of C which is above average, and it is stated in the EPC report the floor area is 79m<sup>2</sup>.

Outside: The property has brick elevations under a pitched and tiled roof. There is a rear garden and roadside parking.

The Property is situated in an established residential area close to local amenities and Bruce Grove station.

## Evidence

12. The parties have returned the Tribunal's completed Rent Appeal Statement together with helpful photographs and floor plan. The landlord provided written submissions together with details of comparable evidence of rental values in the area.

## *The Tenant.*

13. In the written evidence the Tenant made the following comments:
  - a) The tenant considers a realistic rent increase would be between £1500-£2000 pcm
  - b) The photographic evidence shows significant mould and damp to the internal walls of the property
  - c) The tenant states there have been continuing problems with pests
  - d) There is damage to the wall plaster
  - e) The property is cold and difficult to heat.

- f) The property has been subject to enforcement action by the local authority who in the past have served the landlord with improvement notices with Category 1 Hazards.

*The Landlord.*

- 14. The Landlord made the following comment:
  - a) The landlord states that the condition of the property is due to the tenant's life style and the tenant does maintain a reasonable standard of cleanliness.
  - b) There are no damp and pest issues.
  - c) The landlord provided addresses of 2 recently let properties in the general area, setting out a rental valuation range of £2,500-£2,550 per month. However, the Tribunal can only place very limited weight on these as no details were supplied.

Determination and Valuation

- 15. Relying on its own expert, general knowledge of rental values in the Tottenham area together with the comparable evidence provided by the landlord, the Tribunal considers that the market rental of the subject Property modernised and in good condition would be in the order of £2,400 per month. This is the rent we would expect the property to let for in the open market including having white goods and curtains provided by the landlord.
- 16. From this level of rent, the Tribunal has made adjustments in relation to the following:
  - a) The dated kitchen and bathroom fittings.
  - b) The general condition of the property based upon the photographic evidence provided by the tenant.
  - c) Electrical issues raised by the local authority
- 17. The Tribunal has considered very carefully this information and using its own expertise considers that a deduction of £450 should be applied in order to take account of the of the above matters. 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.

The full valuation is shown below:

Starting Rent	<u>£2,400</u>
<u>Less</u>	
Items given under a)-c) above	£450
Market rent	£1,950 pcm
Undue hardship	

18. The new rent takes effect from the date specified in the Landlord's Notice of increase unless that would cause undue hardship to the tenant. In cases of undue hardship, the Tribunal has a discretion to fix a later starting date up to the date a Tribunal makes its determination.
19. The tenant has stated that there are 6 people occupy the property with limited income and the rental payments are supplemented by Universal Credit. Ultimately, any increase in rent would cause undue hardship. On the basis of the evidence supplied by the Tenant and the level of the increase, the Tribunal considers that this will not cause undue hardship and accordingly sets the starting date for the new rent as 23 February 2026.

#### Decision

18. Therefore, the Tribunal determines the market rent at £1,950 per calendar month with effect from the 23 February 2026, being the date of the Landlord's notice.

#### APPEAL PROVISIONS

If either party is dissatisfied with this decision, they may apply for permission to appeal to the Upper Tribunal (Lands Chamber) on any point of law arising from this Decision. Prior to making such an appeal, an application must be made, in writing, to this Tribunal for permission to appeal. Any such application must be made within 28 days of the issue of this statement of reasons (regulation 52 (2) of The Tribunal

Procedure (First-tier Tribunal) (Property Chamber) Rules 2013) stating the grounds upon which it is intended to rely in the appeal.