



FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference : LON/00BB/MNR/2026/0139

Property : 2 Miles Lodge
116 Colegrave Road
London E15 1EB

Applicant : Elizabeth Simpson
(Tenant)

Representative : None

Respondent : Saffia Rawat
(Landlord)

Representative : WJ Meade (Agent)

Date of Application : 3 March 2026

Type of Application : Determination of a Market Rent
sections 13 &14 Housing Act 1988

Tribunal Members : Mr N. Martindale FRICS
Mr O Miller

Date of Decision : 28 May 2026

Rent Determined : £1425 per calendar month

Date of new rent start : 24 March 2026

REASONS FOR DECISION

Background

- 1 A landlord's notice dated 4 February 2026, was served under Section 13(2) Housing Act 1988 proposing a new rent of £1500 per calendar month in place of the passing rent of £1233.33 pcm, to take effect from 24 March 2026.

- 2 At a date, prior to the effective date, under S.13(4)(a) Housing Act 1988 the tenant referred the landlord's notice proposing a new rent, to the Tribunal for determination.
- 3 The assured tenancy is now calendar monthly periodic.

Allocation of Repairs between Landlord and Tenant

- 4 As per S.11 Landlord and tenant Act 1985.

Landlord's Service Charges and Furniture provided and costs.

- 5 Landlord supplied some white goods to kitchen and floor coverings in bedroom hall and living room. No furniture.

Liability for Council Tax

- 6 Tenant.

Other relevant terms of tenancy

- 7 None

Inspection and Hearing

- 8 An inspection is not routinely carried out. The Tribunal is content that it has sufficient information on the Property, its condition and on comparables, from a combination of the written and photographic representations received and from its own knowledge and specialist expertise.

Property

- 9 There was no inspection. The Property is a 1950's flat purpose built in a Building with 3 levels of similar flats. The Property on the first floor, has 1 bedroom, living room, kitchen, bathroom, WC set on 1 level. There are communal internal access areas for the Property and other flats in the Building, each served by communal stairs and hallways, with small communal external areas and access. There are on street parking restrictions. Access is off an established residential area, with mainly older 1920 houses and other homes apart from this block and similar 1960's 'infill' housing terrace across the road. (Google Streetview September 2025).
- 10 The Property appears to be of traditional brick construction with brick wall finishes and what appears to be a main flat roof above. It appears in fair condition. There are PVCu double glazed windows.

Evidence

- 11 The Tribunal received completed Form 1 and 1b from the tenant. Form 1a from the landlord was received. The Tribunal is grateful for such information as was provided by one or both of the parties.

Tenant

- 12 The tenant referred to the notice being defective in that the wording was different in some respect from the standard form. The tenant referred to the notice being 'retaliatory'; in nature as it came following the reporting of condition issues to the local authority and was linked to a notice to quit having been served. The flat suffers from damp it was said possibly penetrating damp and/or from humidity levels inside from the absence of mechanical ventilation. The communal areas are in poor condition. Untitled photographs of the Property interior and of the communal areas were included. The tenant highlighted a series of minor defects which included: some damp and mould growth to wall surfaces especially around windows, in the bathroom and kitchen, from a lack of air extraction.
- 13 The tenant also provided summary details of other 1 and 2 bedroom properties in Leyton High Road E15 and from Leystonstone of E11. The rents ranged from £1200 to £1500 pcm said to be let or to let at or around the date of their application preparation. Most were in LB Waltham Forest, others were from LB Newham where the Property is. The tenant referred to the Area Housing Allowance as being supportive of a significantly lower rental figure, approaching £1400 pcm.
- 14 The tenant suggested that the passing rent was sufficient.

Landlord

- 15 The Tribunal received brief representations from the landlord in Form 1a. These included their reference to valuation work completed by WJ Meade on a 'Best Price' report on recent availability and lettings of similar local flats in support of the new rent of £1500 pcm. These showed rents of similar properties in the borough of between £1500 to £1850 pcm.

Law

- 16 In accordance with the terms of S.14 of the Act we are required to determine the rent at which we consider the property might reasonably be expected to let in the open market, by a willing landlord, under an assured tenancy, on the same terms as the actual tenancy; ignoring any increase in value attributable to tenant's improvements and any decrease in value due to the tenant's failure to comply with any terms of the tenancy. Thus the Property falls to be valued as it stands; but

assuming that the Property to be in a reasonable internal decorative condition.

Valuation

- 17 The Tribunal could not discern the tenant's argument for the notice to increase the rent being defective and did not find it so. The Tribunal finds both the tenant's and landlord's comparables, said to be let or to let around early 2026, helpful. The Tribunal noted information suggesting a very recent letting of another one bedroom flat in Miles Lodge for £1500 pcm. From these and from the Tribunal's own general knowledge of market rent levels in LB Newham it determines that the subject Property would let on normal Assured Shorthold Tenancy (AST) terms, for £1500 pcm, fully fitted and in good order. This is the rent we would expect the Property to let for in the open market if it was in the same condition as comparable properties including landlord's white goods carpets and curtains.
- 18 From the representations the Tribunal found that while there are some minor defects at the Property, none was sufficient to justify any deduction from the rent stated above. However it was noted that the Property was provided with only partial white goods and suffered some disrepair within and outwith the Property in the communal areas and makes a small deduction to reflect these shortcomings of £75 pcm. The new rent is therefore £1425 pcm.

Undue Hardship

- 19 Any Hardship has to demonstrably 'undue'. Though Hardship was sought by the tenant in their application, insufficient information and supporting documentation was provided to consider it further. The reporting of elements of disrepair to the local authority and the service a S.21 notice to quit are not factors that the Tribunal takes into in setting the new rent.

Decision and effective start date

- 20 The starting date of the new rent of £1425 pcm is from and including 24 March 2026.
- 21 Although the landlord is not obliged to charge this rent and may charge a significantly lower rent as a result of their own choice, policy, or governmental regulation; they may not charge more than this figure.

Chairman N Martindale FRICS

Date 28 May 2026

Rights of appeal

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 may have.

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 decision to the person making the application (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013).

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.

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