



FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference : LON/00BJ/MNR/2026/0164

Property : Flat 1, 174 Tooting High St.,
London SW17 0RX

Applicant : Faroque Ahmad (Tenant)

Representative : None

Respondent : Eysi Investment Ltd. (Landlord)

Representative : Concept Estate Agents (Agent)

Date of Application : 19 March 2026

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

Tribunal Members : Neil Martindale FRICS
Adam Spielman

Date of Decision : 26 June 2026

Rent Determined : £2150 per calendar month

Date of new rent start : 12 April 2026

REASONS FOR DECISION

Background

- 1 A landlord's notice dated 17 February 2026, was served under Section 13(2) Housing Act 1988 proposing a new rent of £2150 per calendar month in place of the passing rent of £1700 pcm to take effect from 12 April 2026. The notice incorrectly referred to a passing rent of £2150.

- 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 periodic calendar monthly.

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 There was no information on white goods, floor finishes, curtains or 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 any photographic representations received and from its own knowledge and specialist expertise.

Property

- 9 There was no inspection. The Property appears to be a modernized flat within a mixed use 1930's Building: Ground floor front is estate agents 3 levels of residential above and to the rear of the agency. The Property is a first floor flat sharing communal internal areas of staircase and hallway with other flats. The Property has 2 bedrooms, living room/ kitchen, bathroom WC set on 1 level. There are communal internal access areas for these flats in each part of the Building. There are on street parking restrictions. It is among other established commercial (retail & office) and residential areas of Tooting providing mainly private accommodation in houses or conversions to flats since or as purpose built flats since. (Google Streetview May 2025).
- 10 The Building appears to be of traditional brick fair faced external appearance. The main roof over the Building appears to be a new mansard metal covered roof providing additional residential accommodation in the Building. The street boundary is fenced.

Tooting High St. is a main road. The Building seems to be in good condition. Window glazing appears to be double.

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 errors in the S.13 Notice, the old rent was wrong £1700 pcm, not the £2150 pcm quoted. They referred to an incorrect date too. This was considered to undermine the validity of the notice. The tenant confirmed that the passing rent was largely met by the Area Housing Allowance AHA and that any increase would not be affordable.
- 13 The tenant felt that the rent should be £1700 to £1800 pcm at most.

Landlord

- 14 The Tribunal received brief representations from the landlord in Form 1a as to the new rent. The rent was monthly. The landlord referred to the tenant's statement in their application to the passing rent being £1600 pcm, whereas it was £1700 pcm. The landlord provided a copy of the S.13 notice of increase served last year that raised it from the then £1600 to £1700 pcm (current).
- 15 The landlord supported the current notice proposed rent at £2150 pcm based on the passing rent at another similar unit in the same Building; Flat no.3, rent £2100 pcm. The landlord provided a copy of the tenancy (anonymised) with the S.13 notice served and effective October 2025.

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.

Validity

- 17 The tenant queried the validity of the notice by reference to errors in it. The Tribunal is clear that the new rent has to be correctly stated and it is. The tenant had misquoted the passing rent as £1600 pcm, the landlord as £2150 pcm. Both were wrong but they did not invalidate

the clarity of the intention of the landlord's notice to increase the passing rent to £2150 pcm. The tenants reference to an incorrect date was not clear to, nor found by, the Tribunal. The notice was valid.

Valuation

- 18 From the Tribunal's own general knowledge of market rent levels in the London Borough of Wandsworth of between £1850 to £2350 pcm, it determines that the subject Property would let on normal Assured Shorthold Tenancy (AST) terms, for £2150 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.
- 19 From the representations made available to the Tribunal it found that there were no significant reasons to justify any end allowance on this. For this reason the Tribunal makes no deduction from a new market rent of £2150 pcm.

Undue Hardship

- 20 Allowance for hardship from this increase in the rent was sought by the tenant in their application. However they provided no significant evidence in support of their claim. No change to the effective date of the increase is made by the Tribunal.

Decision and effective start date

- 21 The starting date of the new rent of £2150 pcm to be levied is from and including 12 April 2026.
- 22 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. Otherwise any further reduction in this figure on what is levied, is a matter between the parties, only.

Chairman N Martindale FRICS

Date 26 June 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).