



FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference : LON/00BK/MNR/2026/0338

Property : Flat 16 Portsea Hall
Portsea Place
London W2 2BW

Applicant : Saadia Ezzegraoui
Hassan Ezzegraoui
(Tenants)

Representative : None

Respondent : Lanesborough Properties Ltd
(Landlord)

Representative : William Sturges LLP

Date of Application : 10 May 2026

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

Tribunal Members : Neil Martindale FRICS
William Gibbs

Date of Decision : 9 July 2026

Rent Determined : £1500 per calendar month

Date of new rent start : 9 July 2026

REASONS FOR DECISION

Background

- 1 A landlord's notice dated 27 April 2026, was served under Section 13(2) Housing Act 1988 proposing a new rent of £2150 pcm in place of the passing rent of £1083.33 per calendar month to take effect from 1 June 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 There was no information on white goods, or curtains. No furniture was included, variously loose carpets on tiled floors. Space and water heating was said to be provided by the landlord and included in the rent.

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 studio flat in a 1930's purpose built low rise mansion block with residential flats on some 8 levels, with perhaps a basement. It is located at the back of Edgware Road, near Marble Arch.
- 10 The Property has a living room/ bedroom, bathroom and separate kitchen off a central hallway of some 33m² in total. There are communal internal access areas for these flats in each part of the Building, each served by communal stairs and hallways and lift, with communal external hard standing areas and access. There are on street parking restrictions. It is among other established post war private blocks of flats and faces a terrace of Victorian houses many of which will have been converted into smaller residential units. (Google Streetview January 2018).

- 11 The Property appears to be of traditional brick and steel framing for its height. The exterior is brick fair faced and partly rendered.. The main roof over the Building appears to be flat. The street boundary is fenced and gated. The common parts seem to be in good condition. Glazing appears to be single but the Property has internal secondary glazing primarily for sound insulation to the exterior. Portsea Place is not a busy road. Central space heating and hot water was confirmed as provided by the landlord and its cost is within the rent.

Evidence

- 12 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

- 13 The tenant referred to the damaged internal wall, woodwork and floor finishes within the flat and the tired nature of the bathroom and kitchen, neither of which had been updated for many years. The flat was said not to have double glazing. The tenant provided some 50No. or so photographs in support of these deficiencies. The tenant felt that the rent should increase but, only to £1300 pcm.

Landlord

- 14 The Tribunal received representations from the landlord in Form 1a as to the new rent. The landlord contended that the property was not in a particularly bad condition and that earlier reported defects had been addressed. Though there was no double glazing, the Property had secondary glazing installed with a larger air gap between panes (primarily for sound rather than thermal insulation).
- 15 A report prepared by letting agents Foxtons concluded that the Property was worth £2058 pcm. They provided asking rents and details for similar, accommodation within the same Building. These were for a range of some 5No. one bedroom flats of between 49m² and 55m² in floor area. There were no studio flats. Asking rents varied from £2500 pcm to £2925 pcm. The photographs and other letting details appeared to show modernised flats in good condition.

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 did not dispute the validity of the notice of increase.

Valuation

- 18 From the landlords comparables of the lettings market, Foxton's marketing report and from the Tribunal's own general knowledge of market rent levels in the City of Westminster, centred around Portsea Place it determines that the subject Property would let on normal Assured Shorthold Tenancy (AST) terms, for £1900 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, the Tribunal found that while the kitchen and bathroom whilst functional were in basic condition, and the floor wall and timber finishes were damaged in several areas However the condition of kitchen, bathroom and rundown state of the flat finishes in general justified a reduction of £400 pcm, leaving the rent at £1500 pcm.

Undue Hardship

- 20 Allowance for hardship from this increase in the rent was sought by the tenant in their application. The tenants provided information on the financial support they receive (housing benefit, universal credit, Personal Income Payment and State pension) and evidence of serious health issues, affecting mobility respiration, physical and mental health. The Tribunal therefore delays the effective date of the rent increase to that of this Decision.

Decision and effective start date

- 21 The starting date of the new rent of £1500 pcm is from and including 9 July 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 9 July 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).