



FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference : LON/00BA/MNR/2026/0337

Property : 42 Mitcham Park
Mitcham
Surrey CR4 4EJ

Applicant : Muhammed Karoon Saeed
Faria Shamshad (Tenants)

Representative : None

Respondent : Richard Thompson
Diane Thompson (Landlords)

Representative : Case Consultant Solutions Ltd.

Date of Application : 19 May 2026

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

Tribunal Members : Mr Neil Martindale FRICS
Mr William Gibbs

Date of Decision : 9 July 2026

Rent Determined : £2800 per calendar month

Date of new rent start : 23 May 2026

REASONS FOR DECISION

Background

- 1 A landlord's notice dated 17 March 2026, was served under Section 13(2) Housing Act 1988 proposing a new rent of £2800 pcm in place of the passing rent of £2600 pcm to take effect from 23 May 2026.

2 Apparently on 15 January 2026 under S.13(4)(a) Housing Act 1988 the tenant referred the landlord's notice proposing a new rent to the Tribunal for determination via completed MR1 and standard Form 6.

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 None.

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/or photographic representations received and from its own knowledge and specialist expertise.

Property

9 There was no inspection. The Property is a semi detached house dating from the 1920's of the conventional style on 2 levels. The Property has 4 double bedrooms, living room, dining room, conservatory, kitchen, bathroom/ WC, cloakroom/WC and a further WC. There is off street parking from the street for 2No cars. On street parking is unrestricted. The Property is one a pair of houses in a road of very similar houses, mostly not subdivided into small accommodation. The road is a cul-de-sac. The house has a 140' rear garden. It is in a long established residential area. (Google Streetview July 2022).

10 The Property appears to be of traditional construction, fair face brick. Main roof is double pitched hipped, tiled and appears to be in good condition. There are PVCu double glazed windows and central heating. There is no mention of white goods from the landlord. The bathroom and kitchen are functional and modern. There was no mention of furniture or curtains.

Evidence

- 11 The Tribunal received completed Form MR 1 (and Form 6) from the tenant. Form MR 1a from the landlord was also received. The Tribunal is grateful for such information as was provided by the parties.

Tenant

- 12 The tenant referred to the general wear and tear of decorations despite having undertaken re-decoration over the years and having lived in the Property since 23 May 2009. The conservatory roof was said to leak slightly in heavy rain. Some of the laminate flooring was now 'gapping'. The tenants had added a new wash hand basin to one of the WCs at the Property. The tenants had jet washed outside areas.
- 13 The tenant suggested that the rent remain at £2600 pcm for the Property at the valuation date.

Landlord

- 14 The Tribunal received representations from the landlord in Form 1a. These confirmed that the Property had been regularly maintained as required since 2009. The Property had 4 double sized letting rooms and a very long garden which others did not.
- 15 They provided a report on letting value around the valuation date from Letting Agents Foxtons. They recommended a new letting at £3400 pcm from 8 June 2026. They based this figure on 5No. properties available locally whose values ranged from £2900 to £3500 pcm. These houses all with 4No. bedrooms some being all doubles others with some smaller bedrooms among their number, but all appeared to have 2No. bathrooms. Three of these houses were in Mitcham, two of these houses were in or near Wimbledon considered a higher value area.

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 challenged the validity of the notice but gave no specific reasons how it was invalid. Their rights were 'reserved'. Reference was

made in passing to the tenancy deposit, historic administration and statutory compliance.

Valuation

- 18 From the landlords comparables and Property report and from the Tribunal's own general knowledge of market rent levels in Mitcham it determines that the subject Property would let on normal Assured Shorthold Tenancy (AST) terms, for £2800 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 the Tribunal found the notice valid. It ignored the tenants improvements mentioned and found any minor defects within the Property, insufficient to justify any end allowance from this starting figure for rent. The Tribunal therefore makes a no deduction, leaving a new market rent at £2800 pcm.

Undue Hardship

- 20 A new rent takes effect from the date in the landlords notice. In cases of undue hardship the Tribunal has discretion to fix a later starting date. The tenant did not seek allowance for undue hardship.

Decision and effective start date

- 21 The Tribunal sets the starting date of the new rent of £2800 pcm, from the date of the notice, 23 May 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.

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).