

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/00AH/MNR/2026/0148
Property	Flat 24, 141 Auckland Road, London SE19. 2RR.
Tenant	Ms. Sarah Ife
Tenant's Representative	In person.
Landlord	Bricksmortar Investments Ltd.
Landlord's Address	Calabar House, 83 Bromley Road London SE6 2UF.
Landlord's Representative	Thomas Weir-Ikpeme.
Date of Application	18 March 2026.
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Ms. A. Hamilton-Farey LLB, FRICS. Mr. W. Gibbs.
Date of Decision	1 June 2026
Rent Determined	£2,200.00 per calendar month.

	Exclusive of Council Tax and Water Rates.
Date the new rent takes effect	1 June 2026

REASONS FOR THE DECISION

Background

1. On 5 February 2026 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2,200.00 per calendar month in place of the existing rent of £1,994.67 per calendar month to take effect from 27 March 2026.
2. On 18 March 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. The assured tenancy commenced on 27 March 2023 for a term of 24 months. The rental period is £1,994.67.

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 (other than carpets and curtain and white goods specified below) and the costs relating to the same.

5. None.

Liability for Council Tax

6. 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.

7. None

Inspection/Hearing

8. Neither party requested an oral hearing or inspection. The Tribunal has considered this case on the basis of the papers provided by the parties and its own knowledge and specialist expertise.

The Property

9. The Property is a First Floor Flat offering the following accommodation:

Three bedrooms, Living Room, Kitchen, Bathroom, together with a parking space and Shared Garden.

The property was let with a cooker and fridge.

Evidence

10. Both the Tenant and the Landlord returned the Tribunal's Reply forms.

The tenant submitted that the Local Housing Allowance for the area was between £345.21 per week and £448.77 per week and that accordingly the current rent should be reduced to £1,900.00 per calendar month. No other comparables were provided, or comments on the landlord's comparables.

The Landlord

11. The following comparables were provided by the Landlord:

- a) Westow Hill SE19 – 3B flat at £2747 pcm a 'strong direct comparable in the same area'
- b) Dulwich Wood Park SE19 – 3B flat £2,650 pcm – 'close proximity to the subject supporting a mid-range valuation'.
- c) Annerley Road SE20 – 3B flat at £3,000 pcm 'upper range comparable in neighbouring postcode'
- d) Auckland Road SE19 – 2b flat at £2,100 pcm 'supporting baseline valuation'

Determination and Valuation

12. The tribunal finds that the three comparables in SE19 are the most useful, and taking an average of their rents arrives at a rental of £2,499 per calendar month.
13. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided by the Landlord, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £2,500 per calendar month. This is the rent we would expect the property to let for in the open market if it was in the same general condition as the comparable properties including having been recently modernised, with white goods, carpets, floor coverings and in a generally good condition.
14. In addition a schedule of condition/check-in report was not provided for this tenancy, identifying the quality of finishes and fixtures from which the Tribunal could make an assessment of the start of tenancy condition, and nothing has been provided by the landlord to suggest that the subject property had been refurbished prior to this tenancy.
15. Therefore the the Tribunal has made adjustments in relation to the following:
 - a) Lack of carpets, curtains.
 - b) Lack of recent modernisation

The full valuation is shown below:

Starting Rent		<u>£2,500.00</u>	pcm
<u>Less</u>			
a) Items given under a) above	£150		
b) Items given under b) above	£150	(£ 300.00)	pcm
Market rent		£2,200.00	pcm

Undue hardship

16. 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.

17. The Tenant has asked the Tribunal to fix a later starting date in this case due to the fact that her working hours have been reduced following illness and that she is currently awaiting a Court date following the service of a S.21 Notice by the landlord, which has caused further stress.
18. The Landlord responded to say that the market rent was not concerned with affordability, and that when first notified of the increase the tenant had made some payments at the increased sum.
19. Having had regard to the submissions by the parties, the Tribunal considers that for the increase to take effect from the date in the Landlord's Notice would cause undue hardship and accordingly sets the starting date for the new rent as 1 June 2026. We do not consider that the fact that the tenant was able to pay the increased rent when suggested by the S.13 Notice is not determinative undue hardship that would occur if the rent was backdated to the date on the S.13 Notice.

Decision

20. Therefore, the Tribunal determines the market rent at £2,200.00 per calendar month with effect from 1 June 2026.

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.