



**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case Reference	:	LON/00BE/MNR/2026/0416
Property	:	22 Achilles Close London SE1 5HE
Applicant	:	Andrew Dart (Tenant)
Representative	:	None
Respondent	:	Freshview Estates Ltd. (Landlord)
Representative	:	BMR St James 2 Ltd. (Agent)
Date of Application	:	26 May 2026
Type of Application	:	Determination of a Market Rent sections 13 & 14 Housing Act 1988
Tribunal Members	:	Mr. N. Martindale FRICS
Date of Decision	:	29 July 2026
Rent Determined	:	£1500 per calendar month
Date of new rent start	:	1 June 2026

REASONS FOR DECISION

Background

- 1 A landlord's notice dated 30 March 2026, was served under Section 13(2) Housing Act 1988 proposing a new rent of £1600 per calendar month in place of the passing rent of £1365 pcm 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 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 No furniture. White goods.

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 is a ground floor flat purpose built late 1980's. The Property has one bedroom, living room/ kitchen, bathroom wc. It is small for a one bedroom flat at around 35m2 in area. It is part of a low rise 2 storey Building of similar flats in a short terrace, with their own entrances of the same age on a small housing estate of same. Access to the upper floor is from a separate entrance. There is communal garden to front and rear.

10 The road consists of very similar buildings in an established residential area. There are on street parking restrictions and off street parking at no additional charge. (Google Streetview October 2022).

11 The Building is of traditional brick fair faced external appearance. The main roof over the Building appears to be double pitched single lap tiled. The Building seems to be in good to fair order. Window glazing appears to be double glazed to the Property. There is electric powered storage heating (space and water).

- 12 The Property is located some way north of the Old Kent Road, to the far eastern extremity of the Bermondsey SE1 postal code, in what is almost Rotherhithe SE16. The estate has a “suburban feel” despite being within reach of the City of London but, is unlike much of SE1 to the west into Bermondsey and Borough where the majority of market housing, is very new prepared to a high standard and arranged as flats in buildings of several storeys.

Evidence

- 13 The Tribunal received completed Form MR 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

- 14 The tenant did not contest the form or timing of the landlords S.13 Notice but challenged the new rent. The tenant felt that the rent should be £1365 pcm. There was only electric not gas fired heating, generally more expensive, less responsive. The tenant referred to similar flats with 1 bedroom with rents ranging from £1400 to £1450 pcm, though several were from Spring 2025 a year earlier. The tenant provided an account of passing rents for nearby flats which showed an overall average it was said of £1326 pcm. However it was unclear when these rents had last been subject to market testing.

Landlord

- 15 In their MR1a Form, the landlord provided some contrasting comparable material that suggested new rents sought in the range from £1550 to £1800 pcm and beyond for larger two bedroom flats. Most were in blocks with internal communal spaces rather than the individual entrance found at the Property, they also appeared to lack parking provision on site.

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 From the Tribunal’s own general knowledge of market rent levels in the north of LB Southwark for a Property of this type and location, it

determines that the subject Property would let on normal Assured Periodic Tenancy (APT) terms, for £1550 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 and carpets in the Property.

- 18 The Property had electrically powered storage heating rather than gas fired wet circuit heating. The Tribunal considers this more expensive and less controllable than the conventional water and space heating combined gas powered version and makes a modest deduction for this shortcoming of £50 pcm. The Tribunal therefore determines the new market rent at £1500 pcm.

Undue Hardship

- 19 Allowance for hardship from this increase in the rent was sought by the tenant in their application. The materials and detail provided were insufficient for the Tribunal to consider that "undue" hardship would result. If it had, the Tribunal could only delay the effective date of the increase up to the date of the hearing at most. No change to the effective date of the new rent is made by the Tribunal.

Decision and effective start date

- 20 The starting date of the new rent of £1500 pcm inclusive to be levied is from and including 1 June 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. Otherwise any further reduction in this figure on what is levied, is a matter between the parties, only.**

Chairman N Martindale FRICS

Date 29 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).