



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

|                               |          |                                                                                |
|-------------------------------|----------|--------------------------------------------------------------------------------|
| <b>Case Reference</b>         | <b>:</b> | <b>LON/00AH/MNR/2026/0468</b>                                                  |
| <b>Property</b>               | <b>:</b> | <b>147 Bensham Lane<br/>Thornton Heath<br/>Surrey CR7 7EW</b>                  |
| <b>Applicant</b>              | <b>:</b> | <b>Aura Maria Rojas Clavijo<br/>(Tenant)</b>                                   |
| <b>Representative</b>         | <b>:</b> | <b>None</b>                                                                    |
| <b>Respondent</b>             | <b>:</b> | <b>Bharat Chauhan<br/>Pratima Chauhan<br/>(Landlords)</b>                      |
| <b>Representative</b>         | <b>:</b> | <b>None</b>                                                                    |
| <b>Date of Application</b>    | <b>:</b> | <b>1 June 2026</b>                                                             |
| <b>Type of Application</b>    | <b>:</b> | <b>Determination of a Market Rent<br/>sections 13 &amp;14 Housing Act 1988</b> |
| <b>Tribunal Members</b>       | <b>:</b> | <b>N. Martindale FRICS</b>                                                     |
| <b>Date of Decision</b>       | <b>:</b> | <b>29 July 2026</b>                                                            |
| <b>Rent Determined</b>        | <b>:</b> | <b>£1950 per calendar month</b>                                                |
| <b>Date of new rent start</b> | <b>:</b> | <b>2 June 2026</b>                                                             |

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**REASONS FOR DECISION**

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**Background**

- 1 A landlord's notice dated 18 April 2026, was served under Section 13(2) Housing Act 1988 proposing a new rent of £1950 per calendar month in place of the passing rent of £1850 pcm, to take effect from 2 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 None. It is assumed that the landlord provided the usual white goods in the kitchen and where required, the floor coverings.

### **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 the left hand half of a pair of semi-detached houses, built in the Edwardian era in the 1900's. It remains as a family house. The Property has three bedrooms (one double two single), living room, kitchen, bathroom/ wc. There is a front and rear garden.

10 The Property is located in a road of very similar aged houses in pairs mostly retained as family homes. On the opposite side of the road there is a commercial vehicle repair use. (Older Google Streetview May 2019) The road consists of very similar houses an established residential area. There are on street parking restrictions and it appears no off street parking at the Property.

11 The Building is of traditional brick fully rendered and painted in fair condition only in external appearance. The main roof over is relatively complex for the size of house, being double pitched and hipped, with gables over the front bays covered in single lap tiles. Window glass appears to be double glazed and there is gas fired central heating.

## **Evidence**

- 12 The Tribunal received completed Form MR 1 and MR 3 from the tenant with some back ground to the tenancy. Form MR 2 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 did not contest the form or content of the landlords S.13 Notice but, did contest the new rent. The tenant felt that the rent should reduce to £1500 pcm but, was unable to cite any market evidence to support this figure.

## **Landlord**

- 14 The Tribunal received representations from the landlords. They referred to similar semi detached houses nearby. The asking rents quoted ranged from £2000 to £2400 pcm. The landlord felt the figure they put in their notice took some account of the tenants ability to pay and had not sought the maximum that the Property might be worth.

## **Law**

- 15 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**

- 16 The tenant did not query the validity of the Notice.

## **Valuation**

- 17 From the Tribunal's own general knowledge of market rent levels in LB Sutton for a Property of this type prices ranged between £1950 and 2400 pcm, it determines that the subject Property would let on normal Assured Periodic Tenancy (APT) terms, for £1950 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 Tribunal found that there was no reason at the Property to make any end allowance from this figure. The Tribunal therefore determines the new market rent at £1950 pcm.

### **Undue Hardship**

- 19 At most the effective start date for the new rent would be delayed to the date of the decision. Allowance for hardship from this increase in the rent was sought by the tenant in their application but insufficient details were presented. 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 £1950 pcm inclusive to be levied is from and including 2 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).