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|  | <b>FIRST - TIER TRIBUNAL<br/>PROPERTY CHAMBER<br/>(RESIDENTIAL PROPERTY)</b>           |
| <b>Case Reference</b>                                                             | <b>LON/00BF/MNR/2026/0334.</b>                                                         |
| <b>Property</b>                                                                   | <b>12 Eaton Court, Eaton Road, Sutton,<br/>Surrey SM2 5DZ.</b>                         |
| <b>Tenant</b>                                                                     | <b>Zipporah Hunt.</b>                                                                  |
| <b>Tenant's Representative</b>                                                    | <b>In person.</b>                                                                      |
| <b>Landlord</b>                                                                   | <b>David Kuria</b>                                                                     |
| <b>Landlord's Address</b>                                                         | <b>PO Box 61562,<br/>Nairobi, Kenya.</b>                                               |
| <b>Landlord's Representative</b>                                                  | <b>Gascoigne Pees/Countrywide<br/>Residential Lettings.</b>                            |
| <b>Date Application Received</b>                                                  | <b>2026.</b>                                                                           |
| <b>Type of Application</b>                                                        | <b>Determination of a Market Rent<br/>sections 13 &amp; 14 of the Housing Act 1988</b> |
| <b>Tribunal Members</b>                                                           | <b>Tribunal Judge Hamilton-Farey LLB<br/>FRICS.<br/>Adam Spielman.</b>                 |
| <b>Date of Decision</b>                                                           | <b>27 July 2026.</b>                                                                   |
| <b>Rent Determined</b>                                                            | <b>Non- determination/Rent remains at<br/>£1,600.00 per calendar month.</b>            |
| <b>Date the new rent takes effect</b>                                             | <b>N/a</b>                                                                             |

1. The tenant occupies this 2 bedroomed, first floor flat, with garage under a tenancy commencing on 19 May 2025 at a passing rent of £1,600.00. On 27 February 2026 the landlord served a Notice of Increase under s.13(2) of the Housing Act 1988, proposing an increase to £1,800.00 per month.
2. The tenant referred the Notice to the tribunal for a determination of rent,
3. The tenant's case is that the property lacks modernisation that it was unfurnished and they have supplied carpets. The tenant has suggested three comparables of properties with rents ranging from £1,600.00 to £1,650.00 per calendar month, all three in the vicinity, together with one comparable at Laburnham Court, SM1 at £1,450.00 per calendar month.
4. The landlord has not responded to the tenant's application and has not provided any comparable evidence on which they wish to rely.
5. The tribunal considers that if a landlord wishes to increase the rent, then they must provide at least a statement setting out their reasoning and provide evidence of comparable properties on which they wish to rely. The landlord has not provided anything to the tribunal.
6. The tenant has provided evidence to show that the rent passing is similar to those of the comparables on which they rely, and in the circumstances, the tribunal makes no determination of rent. The rent remains at £1,600.00 per calendar month.

## **Determination**

1. The tribunal makes no determination of rent in this instance with the result that the rent passing remains at £1,600.00 per calendar month.

## **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.