

	FIRST-TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/OOBh/MNR/2026/0150 0003
Property	15 Wickford Way, Flat 41 Wheel House, London, E17 6FE
Tenant	Lucian Rodrigues
Tenant's Representative	None
Landlord	CETZA Trustees V3 Ltd and CETZA Trustees V4 Ltd as joint trustees of Walthamstow Property Unit Trust
Landlord's Address	C/O Urbanbubble Ltd , Sevendale House, Manchester, M1 1 JA UK
Landlord's Representative	None
Date of Application	14 March 2026
Type of Application	Determination of a Market Rent sections 13 and 14 of the Housing Act 1988
Tribunal Members	R Waterhouse FRICS T Leppard MRICS
Date of Decision	12 24 June 2026 amended 3 July 2026
Rent Determined	£1950.00 psm Not applicable
Date the new rent takes effect	21 March 2026 Not applicable

REASONS FOR THE DECISION

By virtue of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 Rule 50 Clerical mistakes and accidental slips and omissions. The above amendment is made.

Background

1. On 20 May 2026, the landlord served a notice under section 13(2) of the Housing Act 1988 which proposed a new rent of £2475.00 per calendar month (pcm) in place of the existing rent of £2066.64 pcm to take effect from 19 July 2026.
2. On 14 March 2026, under section 13(4)(a) of the Housing Act 1988, the tenants referred the landlord's notice proposing a new rent to the tribunal for determination of a market rent.
3. The tenancy commenced 27 July 2022 as a 35 months tenancy ending on 26 June 2025 with a rent of £1806.00 pcm. The rent period was monthly payable on the 1st of the month.
4. The tribunal has considered all evidence submitted within the timetable set out by the Directions and subsequent oral testimony. The tribunal has not recorded all evidence submitted within the decision. The omission of a piece of evidence should not be taken that it has not been taken into consideration.
5. The tribunal did not inspect the property and determined the matter on the papers.

Preliminary Matters

6. Material received outside the Directions has not been considered.
7. The Landlord in their Landlord Reply Form for open market rent decision states at 2.3 " the tenant was issued a section 13 notice which was the basis of the referral. However the notice the tenant has provided is invalid and a subsequent Section 13 notice was served on the 3rd June 2026 which we have enclosed as part of the pack. We are happy to continue with the determination on the basis the tribunal will accept the new section 13 notice.[65/253]
8. The second Notice dated 3 June 2026 is in the bundle [82/253] to [90/253].

9. The first Notice dated 20 May 2026 is in the bundle [82/253] to [100/253]
10. The tribunal acknowledged 26 May 2026 the receipt of an application to determine a rent against the first Notice [244/253]
11. On 3 June 2026, the landlord sent to the tribunal an email stating the previous Notice of 20 May 2026 was invalid in their view and a replacement Notice was issued dated 3 June 2026.
12. The tenant wrote to the tribunal [251/253] stating they had been informed that the Notice of 20 May 2026 to which they had submitted an application was in the landlords view invalid. That a replacement Notice had been issued by the landlord 3 June 2026. The tenant requests guidance as to whether their original application made against the Notice of the 20 May 2026 could be considered as being made against the subsequent notice of 3 June 2026. [251/253]

Tribunal analysis/ decision

13. The parties accept that the first Notice dated 20 May 2026 is invalid.
14. The tribunal does not need to make a finding on the probable validity of the Notice given that both parties consider the Notice to be invalid.
15. Where a Notice is invalid, the tribunal does not have jurisdiction to determine a rent.
16. It follows that the application must be struck out under Rule 9(2)(a) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, because the Tribunal does not have jurisdiction in relation to the proceedings or case or that part of them.
17. The tribunal observes that the applicant may if they wish to make an application against the second Notice dated 3 June 2026 subject to the normal constraints of making such an application.

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 (SI 2013/1169)) stating the grounds upon which it is intended to rely in the appeal.