

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/00BK/MNR/2026/0343
Property	377 Park West, Edgware Road, London W2 2QS
Tenant	Naima Ezzegraoui
Tenant's Representative	None
Landlord	Roxborough Properties Ltd
Landlord's Address	c/o Burwood House. 14-16 Caxton Street, London, SW1H 0QY
Landlord's Representative	William Sturges LLP
Date of Application	11 May 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr D Jagger MRICS Mr K Beheshtizadeh
Date of Decision	6 August 2026
Rent Determined	£1,800 per calendar month
Date the new rent takes effect	6 August 2026.

REASONS FOR THE DECISION

Background

1. On 22 April 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2,150 per calendar month in place of the existing rent of £1,170 per month to take effect from 6 June 2026. This being a significant increase of £980.
2. On 11 May 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 current assured tenancy commenced on the 6 December 2023. The Tribunal were presented with a copy of the agreement at the current passing rent of £1,170 per month. The tenancy was for a term of 24 months; therefore, this is a statutory tenancy agreement. The tenant has occupied the property since 1996 and we shall return to this matter.

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:

5. No furniture supplied by the landlord.
6. No service charges payable by the Tenant.

Liability for Council Tax

7. 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.

8. The rent includes communal heating and hot water.

Inspection/Hearing

9. The parties did not request a hearing or inspection.
10. The Tribunal has therefore, considered this case on the basis of the parties submissions, Rightmove, and its own knowledge and specialist expertise.

The Property

11. The property is a purpose built seventh floor flat forming part of a ten storey “Art Deco” block built during the 1930’s with communal access arrangements, lift to upper floors and concierge. The accommodation comprises, one bedroom, living room, kitchen and bathroom. The flat has an EPC Rating of C which is above average and a stated floor area of 42m². As previously mentioned property has communal central heating and hot water. Single glazed windows and flooring coverings.

Outside: The property has brick, tiled and brick elevations under a flat roof.

The Property is situated in Prime Central London (PCL) in the Marble Arch area and therefore close to all local amenities.

Evidence

12. Both parties returned the Tribunal’s completed Rent Appeal Statements together with helpful photographs, floor plan and comparable evidence of recent lettings in the area.

The Tenant.

13. In her written evidence the Tenant made the following comments:
 - a) The Tenant has undertaken significant repairs and maintenance during her 20 year occupation of the property
 - b) No maintenance or improvements have been carried by the Landlord
 - c) The photographic evidence shows substantial disrepair.
 - d) The property kitchen and sanitary fittings are dated.
 - e) The comparable evidence provided by the Landlord was for refurbished flats in the area.
 - f) The windows are single glazed and suffering from rot infestation.
 - g) Based on this evidence, the tenant is of the opinion a realistic increase would be £1,300 pcm

The Landlord.

14. The Landlord provided the following evidence.
 - a) The landlord provided comparable evidence of recent lettings for one bedroom flats in the area which ranged between £2,167-£2,665 pcm which fully supported the proposed increase.
 - b) A report by Foxton Letting Agents suggested a current rental value of £575 per week (£2,491 per month)
 - c) The photographic provided by the Tenant showed normal wear and tear.
 - d) The block is situated in a prime central location.

Determination and Valuation

15. Relying on its own expert, general knowledge of rental values in the Marble Arch area together with the comparable evidence provided by the landlord, the Tribunal considers that the market rental of the subject property modernised and in good condition would be in the order of £2,150 per month. This is the rent we would expect the property to let for in the open market including having white goods and curtains provided by the landlord. This figure is in line with the evidence provided by the Landlord all of which appear to be in refurbished condition. Turning to the report prepared by Foxton, it is evident to the Tribunal that no inspection was undertaken and the value appears to be based upon a good internal specification.
16. From this level of rent, the Tribunal has made the following adjustments in relation to the following:
 - a) General condition of the property
 - b) Dated kitchen units and sanitary fittings
 - c) Damaged window units
 - d) Tenants improvements including Replacement wooden floors
16. The Tribunal has considered very carefully this information and using its own expertise considers that a deduction of £350 should be applied in order to take account of the of the above matters. It should be noted that this figure cannot be a simple arithmetical calculation and is not based upon capital costs but is the Tribunal's estimate of the amount by which the rent would need to be reduced to attract a tenant.

The full valuation is shown below:

Starting Rent	<u>£2,150 pm</u>
<u>Less</u>	
a) Items given under a)-d) above	£350

Market rent **£1,800 pm**

Undue hardship

17. 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.
18. The Tenant provided evidence of hardship. She is 72 years and is reliant on Housing Benefit and Local Housing Allowance. The Tenant asked the Tribunal to delay any increase. The Tribunal accepts that such a substantial increase taking effect from the date in the Landlord's Notice would cause the Tenant undue hardship and therefore exercises its discretion to set the starting date for the new rent as 6 August 2026, the date of this determination.

Decision

19. Therefore, the Tribunal determines the market rent at **£1,800 per calendar month** with effect from the **6 August 2026** being the date of the Tribunal's decision.

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.