



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

Case Reference	LON/00AG/MNR/2026/0364
Property	Flat 3 131 King Henry's Road, London NW3 3RB
Tenant	Kim Kyulin
Tenant's Representative	N/A
Landlord	Iain Mackenzie
Landlord's Address	Second floor flat, 143 King Henry's Road, London NW3 3RD
Landlord's Representative	None
Date of Application	18 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	£1,824 per calendar month
Date the new rent takes effect	23 June 2026

REASONS FOR THE DECISION

Background

1. On 29 April 2026 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,950 per calendar month (pcm) in place of the existing rent of £1,750 pcm to take effect from 23 June 2026. This being an increase of £250 per month.

2. On 18 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 assured tenancy commenced on 23 January 2026 for a term of 3 months. The rental period is monthly. Hence, this is a Statutory Tenancy.

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:

1. The property was let furnished.
2. No service charges payable by Tenant.

Liability for Council Tax

5. The Tenant is responsible for the payment of Council Tax in respect of the property.

Any other terms of the tenancy taken into consideration in determining the rent.

6. None

Inspection/Hearing

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

The Property

8 The property is a converted first floor studio flat forming part of a four storey Victorian detached building with communal access arrangements. The accommodation comprises, bedroom/living room, kitchen and bathroom. The flat has an EPC Rating of D which is average and a stated floor area of 39m². The property has gas central heating, timber single glazed windows, white goods and flooring coverings.

Outside: The property has brick elevations under a pitched roof. The property is located close to local amenities and Swiss Cottage underground station.

Evidence

9. The parties completed Rent Appeal Statements and provided comprehensive submissions including schedules and analysis of comparable evidence of recent lettings in the general area, photographs and floor plan.

The Tenant.

10. In the written evidence the Tenant made the following comments:

- a) The property has poor heating and sound insulation.
- b) The single glazed windows are suffering from minor rot and are draughty.
- c) There have been previous plumbing leaks to the property.
- d) There is cracked plaster to the rooms
- e) The tenant has produced a very comprehensive schedule of comparable evidence comprising 11 properties ranging from £1500 pcm for a studio flat in an HMO and £1,900 for a one bedroom flat.
- f) Based on this evidence, the tenant is of the opinion there should be no increase in the rental value.

The Landlord.

11. The Landlord provided the following evidence.

- a) The landlord provided a detailed schedule of comparable evidence with floor plans which ranged from £1500 for a smaller studio flat through to £2,400 for a one bedroom flat.
- b) The net rent is as follows: £1,750 less £249 (council tax, water rates and energy bill contribution) = £1,501. It is extremely unusual for standard lettings, other than for a room for the rent to include such landlord payments and the majority of the comparable evidence shows rents exclusive of such payments.
- c) This was a short letting with special conditions at a subsidized rental value.
- d) The property is located in a well regarded leafy street and the property provides a very large airy studio flat.

Determination and Valuation

12. The Tribunal wishes to thank the parties for their comprehensive submissions and analysis of the comparable evidence which has been produced in a professional manner and greatly assisted the Tribunal in its determination.

13 Therefore, relying on its own expert, general knowledge of rental values in the Primrose Hill area together with the comparable evidence provided by the parties, the Tribunal considers that the market rental of the subject property **exclusive of the matters raised in clause 3.1** in modernised and in good condition would be in the order of £1,650 per month. This is the rent we would expect the property to let for in the open market including having white goods, floor coverings and curtains provided by the landlord. This figure falls within the range of the comparable evidence provided by the parties all of which appear to be in refurbished condition. The Tribunal is of the opinion that the large majority of the comparable evidence is exclusive of council tax, utilities and water rates, and for this reason must be added back in the calculations set below.

From this level of rent, the Tribunal has made the following adjustments in relation to the following:

- a) Damaged single glazed window units
- b) Cracked wall plaster

The Tribunal has considered very carefully this information and using its own expertise considers that a deduction of £75 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>£1,650 pm</u>
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Less

a) Items given under a)-b) above	<u>£75</u>
	£1,575

<u>Plus</u> Landlord charges in accordance clause 3.1	£249
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Market rent	£1,824 pm
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Undue hardship

14 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.

15. The Tenant provided evidence of hardship. The tenant's statement is based upon securing alternative accommodation and affordability relative to her salary. She has provided the Tribunal with Monzo funds, savings and a schedule of her current financial position. For these reasons any increase in rent will cause financial hardship. On the basis of the evidence supplied by the tenant, the level of rental increase and the limited interval between the date of the decision and the date in the Landlord's notice. The Tribunal considers that there is not sufficient evidence to show this determination will cause undue hardship and accordingly sets the starting date for the new rent as 23 June 2026.

Decision

16. The Tribunal determines the market rent at **£1,824 per calendar month** with effect from the **23 June 2026** being the date of the Landlord's notice.

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.

