

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/00AK/MRA/2026/0080
Property	20 Elmhurst Road, Enfield, Middlesex, EN3 5TB
Tenant	Mercedes Santana Rodriguez
Tenant's Representative	Yolanda Napoli of Consultas Pasos ltd
Landlord	Finewise Ltd
Landlord's Address	c/o Fastgrand Ltd, 140 High Road,, London,, N15 6JN,
Landlord's Representative	Mindy Stern of Fastgrand Ltd
Date of Application	7 July 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr A Harris LLM FRICS Mr A Spielman
Date of Decision	13 August 2026
Rent Determined	£2375.00 per calendar month
Date the new rent takes effect	19 September 2026

REASONS FOR THE DECISION

Background

1. On 10 June 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2500.00 per calendar month (pcm) in place of the existing rent of £2000.00 pcm to take effect from 19 August 2026.
2. On 7 July 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 19 August 2022 for a term of 1 year. A periodic tenancy commenced on 19 August 2023. The rental period is monthly on the 19th of the month. The tenant's occupation started on 19 July 2020.

Allocation of Repairs between Landlord and Tenant.

4. As per section 11 of the Landlord and Tenant Act 1985.
5. The property is unfurnished. There are unspecified white goods but including a fridge.

Liability for Council Tax

6. The Tenant is responsible for the payment of Council Tax in respect of the Property. The rent determined is exclusive of Council Tax.

Inspection/Hearing

7. Neither party requested an oral hearing. The Tribunal has considered this case on the the papers provided by the parties and its own knowledge and specialist expertise.

The Property

8. The Tribunal did not inspect.
9. The Property was built as a 2 bedroom property. The reception room has been partitioned to form a third bedroom, offering the following accommodation:

3 bedrooms, reduced living space, kitchen and bathroom. The house is 861 Sq ft.

Outside: rear garden

The Property benefits from gas central heating and double glazing.

The Property is situated midway between Freezy Water and Enfield Wash to the east of Enfield centre.

Evidence

10. The parties completed the relevant MR1 (tenant), MR2 (landlord) but there is no MR3 (tenant's reply).

The Tenant.

11. The Tenant made the following comments:
 - a) Laminate flooring is lifting and the property has suffered from dampness, leaks and humidity. Plaster has been patch repaired.
12. In terms of rental evidence, the Tenant had provided :
Two Flats in Hertford Rd. The tribunal finds these to be of no assistance.
Rotherfield Rd, a 2 bedroom house let at £2100 pcm
King Edwards Rd, a 2 bed house let at £1850 pcm
An unidentified 2 bedroom house let at £2000 pcm

The Landlord

The Landlord disputes that the remaining living room is too small at 12 sq m. The downstairs bedroom is the same size as a single room upstairs. Repairs are properly completed and a damp report say this is due to a lack of ventilation rather than a building defect.

13. The following comparables were provided by the Landlord:
- a) Alandale Rd a 3 bed house to let at £2500 pcm, added on 6 July 2026 there is a photograph but no other details.
 - b) Albany Park, a 3 bed 2 bathroom house to let a £2650 pcm
 - c) Chesterfield Rd, a 3 bed house to let at £2500 pcm
 - d) Clydesdale, a 3 bedroom house to let at £2650 pcm
 - e) Ascot Gardens, a house with 3 first floor bedrooms recently let by the agents at £2750 pcm

Determination and Valuation

14. With the exception of the property situated in Ascot Gardens, the Tribunal considers the comparables provided by the Landlord are in reasonable proximity but without full details the tribunal cannot assess whether they are true 3 bedroom properties or similar to the subject property. The tenants comparables are not truly comparable as the subject has 3 bedrooms albeit a smaller living room.
15. Relying on its own expert, general knowledge of rental values in the area, and the comparables, the Tribunal considers that the market rental of the subject Property in the condition the market would expect would be in the order of £2400.00 pcm. This is the rent we would expect the property to let for in the open market if it was in the same general condition as the comparable properties including having carpets, curtains and white goods provided by the landlord.
16. From this level of rent, the Tribunal has made adjustments in relation to the following:
- a) condition

The full valuation is shown below:

		PCM
AST Market rent		£ 2,500.00
less condition and layout	5.0%	~~£~~ 125.00
		£ 2,375.00

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 of up to two months after the date a Tribunal makes its determination.

18. The Tenant has asked the Tribunal to fix a later starting date in this case supported by a universal credit statement.
19. The Landlord replied the tenant is free to go elsewhere. The LHA allowance does not determine market rent.
20. The Tribunal accepts the tenants case and considers that for the increase to take effect from the date in the Landlord's Notice would cause undue hardship and accordingly sets the starting date for the new rent as 19 September 2026.

Decision

21. Therefore, the Tribunal determines the market rent at £2375.00 per calendar month with effect from 19 September 2026.

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.