



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

Case Reference	LON/00AZ/MNR/2026/0312
Property	Flat 43 Tuscany Corte, 71 Loampit Vale, Lewisham, SE13 7FP
Tenant	Miss Sandrenekia Young
Tenant's Representative	None
Landlord	L & Q Housing Trust
Landlord's Address	29-35 West Ham Lane Stratford E15 4PH
Landlord's Representative	None
Date of Application	10 March 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr D Jagger MRICS
Date of Decision	27 July 2026
Rent Determined	£346 per calendar week
Date the new rent takes effect	6 April 2026.

REASONS FOR THE DECISION

Background

1. On 2 February 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £196.32 per calendar week in place of the existing rent of £160.67 per week to take effect from 6 April 2026. This being an increase of £35.65 per week.
2. On 10 March 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 the 10 May 2012. The Tribunal were presented with a copy of the agreement at a passing rent of £118.25 per week. The tenancy was for a term of 6 years; therefore, this is a statutory tenancy agreement.

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. The proposed rent increase included a sum of £54.16 per week (£2,16.32 per annum for fixed service charges. This matter is the nub of the dispute and is considered below.

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. It is assumed; there are none.

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 papers, together with the papers provided by the Tenant, Rightmove, and its own knowledge and specialist expertise.

The Property

11. The property is a purpose built seventh floor flat forming part of a modern multi storey block built around 2012 with communal access arrangements. The accommodation comprises, bedroom, living room/kitchen and bathroom. The flat has an EPC Rating of C which is above average and a stated floor area of 60m². The property has gas central heating, double glazed windows, white goods and flooring coverings.

The block is situated in an established residential area close to local amenities.

Evidence

12. The Tenant returned the Tribunal's submitted various submissions in connection with the service charge element of the proposed rent. No comparable evidence of recent lettings in the Lewisham area was provided by the parties.

The Tenant.

13. In the written evidence the Tenant made the following comments:
 - a) The a determination on whether the management agent service charge of **£2,492.32 per annum (£47.93 per week)** is reasonably incurred and payable.
 - b) This charge is the main reason for the proposed rent increase from £160.67 to £196.32 per week.

The Landlord.

14. The Landlord did not provide any evidence any evidence.

Determination and Valuation

15. Relying on its own expert, general knowledge of rental values in the Lewisham area, the Tribunal considers that the market rental of the subject property modernised and in good condition would be in the order of £346 per week (1,500 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.
16. The Tribunal has considered very carefully the information provided by the Tenant and using its own expertise considers that no deduction in this rent should be made.

Market rent

£346 pw

Decision

17. Therefore, the Tribunal determines the market rent at **£346 per calendar week** with effect from the **6 April 2026** being the date of the Landlord's notice.
18. Essentially, this is not a dispute in connection with the rent charged by the Landlord. The Tenant's dispute is in connection with the reasonableness and payability of the service charge. The Tenant may therefore consider making an alternative application to the Tribunal for the determination of the liability to pay service charges under section 27A of the Landlord and Tenant Act 1985.
19. It is often the case that market rents are in excess of those that may be charged by social landlords as it is a significant part of their remit to provide affordable housing. As such depending on the type of tenancy agreement their calculation of rent is either at a percentage of market rent or by way of index. Comparison is made with the open market rather than limited to other properties which are offered by social housing providers. It is assumed that the landlord will by usual convention of social landlords not seek to increase the rent proposed in its original notice as a result of this determination.

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.