FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	**LON/00AM/MNR/2026/0276**
Property	**:**	**95c Downs Road** **London E5 8DS**
Applicant	**:**	**Samuel Condrey (Tenant)**
Representative	**:**	**None**
Respondent	**:**	**Silver White Estates Ltd (Landlord)**
Representative	**:**	**Tideview Estates Ltd (Agent)**
Date of Application	**:**	**24 April 2026**
Type of Application	**:**	**Determination of a Market Rent sections 13 &14 Housing Act 1988**
Tribunal Members	**:**	**N. Martindale FRICS** **S. Dhanani**
Date of Decision	**:**	**20 August 2026**
Rent Determined	**:**	**£1900 per calendar month**
Date of new rent start	**:**	**25 April 2026**

REASONS FOR DECISION

Background

1 A landlord's notice dated 9 March 2026, was served under Section 13(2) Housing Act 1988 proposing a new rent of £2100 per calendar month in place of the passing rent of £1400 pcm, to take effect from 25 April 2026.

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2 Prior to the effective date, under S.13(4)(a) Housing Act 1988 the tenant referred the landlord's notice proposing a new rent, to the Tribunal for determination.

3 The assured tenancy is now periodic calendar monthly.

Allocation of Repairs between Landlord and Tenant

4 As per S.11 Landlord and tenant Act 1985.

Landlord's Service Charges and Furniture provided and costs.

5 No furniture. Landlord's floor coverings and white goods are assumed.

Liability for Council Tax

6 Tenant.

Other relevant terms of tenancy

7 None

Inspection and Hearing

8 An inspection is not routinely carried out. The Tribunal is content that it has sufficient information on the Property, its condition and on comparables, from a combination of the written and any photographic representations received and from its own knowledge and specialist expertise.

Property

9 There was no inspection. The Property is a first floor flat by conversion. The Property has two bedrooms (single/study and double), living room, kitchen, bathroom/ wc. It is part of an original late Victorian semi-detached home apparently on 4 levels – the Building. The other floors basement, ground and second, appear to be individual flats also created by conversion. Access to the Property is from a shared internal communal staircase.

10 There are similar pairs of original houses adjacent, many converted into flats since construction. The road consists of very similar houses in a long established residential area. There are on street parking restrictions and it appears no off street parking at the Building that is let with the Property. (Google Streetview June 2022).

11 The Building is of traditional brick fair faced external appearance. The main roof over the Building appears to be double pitched and tiled. The street boundary is the open back edge of the pavement behind a small garden wall. The Building seems to be in good/ fair order.

Window glazing appears to be double glazed. There is gas fired central space heating and hot water to the Property, though its functionality is questioned.

Evidence

12 The Tribunal received completed Form Rents 2 from the tenant on 24 April 2026 and later at the Tribunals prompting, via a completed Form Rents 1 from the tenant. The landlord provided a reply by Form Rents 3/ MR3. The Tribunal is grateful for such information as was provided by one or both of the parties.

Tenant

13 The tenant did not contest the form or content of the landlords S.13 Notice but, did contest the new rent. The tenant felt that the rent should be at £1600 pcm. The Property was in poor condition, particularly from a second floor flat water leak from the boiler there and the collapsed ceiling. The second bedroom should be treated as a study with floor dimensions of only 6' by 8'. There was no fixed space heating and no hot water in the Property for several months.

14 The tenant provided some photographs of the interior of the Property. These showed a partly fallen section of ceiling plaster in the kitchen from a longstanding leak above. The Private Sector Housing Team at LB Hackney had served an Improvement Notice on the landlord some months back, focussing in particular on the apparent lack of hot water and space heating at the Property for some months. It appeared that the defective gas fired boiler had been replaced by June 2026, after the valuation date of April 2026.

15 The tenant referred to 1 bedroom flat lettings on the basis that the Property had only 1 bedroom, not 2. These included 1 bedroom flats at: Chatsworth Road E5 £1550 pcm; Homerton Road E9 £1650 pcm; Clapton Road E5 £1650 pcm; and Warwick Grove E5 £1690 pcm.

16 The tenant took the view that it was really only a 1 bed flat and that these flats in the area were priced at £1550 pcm to £1690 pcm. The rent should be £1600 pcm at most.

Landlord

17 The Tribunal received representations from the landlord. They referred to the 2 bedrooms and did not accept the 1 bedroom suggestion at the Property. They also raised the problem of getting timely access for inspections and work at the Property.

18 They provided brief details of converted flats at: Evering Road E5 2 bedrooms 2 bathrooms £2525 pcm; Gunton Road E5 2 bedrooms £2585/ £2465 pcm; Marcon Court E5 2 bedrooms £2250 pcm; Rectory Road 2 bedrooms £2000 pcm;. The landlord referenced some purpose

built, more modern flats at much higher rents. The landlord concluded that based on comparable properties in the area, the prevailing rental value for a 2 bedroom property typically ranges between £2100 and £2500 pcm. The LHA rent is £1600 pcm.

Law

19 In accordance with the terms of S.14 of the Act we are required to determine the rent at which we consider the property might reasonably be expected to let in the open market, by a willing landlord, under an assured tenancy, on the same terms as the actual tenancy; ignoring any increase in value attributable to tenant's improvements and any decrease in value due to the tenant's failure to comply with any terms of the tenancy. Thus the Property falls to be valued as it stands; but assuming that the Property to be in a reasonable internal decorative condition.

Validity

20 The tenant did not query the validity of the Notice.

Valuation

21 From the Tribunal's own general knowledge of market rent levels in LB Hackney for a Property of this type prices ranged between £1900 pcm and £2300 pcm, it determines that the subject Property would let on normal Assured Periodic Tenancy (APT) terms, for £2100 pcm, fully fitted and in good order. This is the rent we would expect the Property to let for in the open market if it was in the same condition as comparable properties including landlord's white goods and carpets in the Property and communal areas.

22 The Property had no fixed space or water heating owing to persistent disrepair at June 2026. The degree of difficulty in communication and access to inspect and carry out works at the Property was unclear.

23 The second bedroom was only a small single. The Tribunal nevertheless considered it to be a two bedroom, rather than a one bedroom flat with just a separate study space. The collapsed kitchen ceiling and the lack of space and water heating, were apparent. Taken together these justified an end allowance on this figure of £200 pcm. The Tribunal therefore determines the new market rent at £1900 pcm.

Undue Hardship

24 Allowance for hardship from this increase in the rent was sought by the tenant in their application. No substantive details were provided however. No change to the effective date of the new rent is made by the Tribunal therefore.

Decision and effective start date

25 The starting date of the new rent of £1900 pcm inclusive to be levied is from and including 25 April 2026.

26 **Although the landlord is not obliged to charge this rent and may charge a significantly lower rent as a result of their own choice, policy, or governmental regulation; they may not charge more than this figure. Otherwise any further reduction in this figure on what is levied, is a matter between the parties, only.**

Chairman N Martindale FRICS Date 20 August 2026

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

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 decision to the person making the application (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013).

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e., give the date, the property, and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).