

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/00BK/MNR/2026/0531
Property	20A Durham Terrace, London, W2 5PB
Tenant	Anna Robinson
Tenant's Representative	N/A
Landlord	Erica Aulds
Landlord's Address	c/o Foxtons Limited, Building Twelve, Chiswick Park, 566 Chiswick High Road, London, W4 5AN
Landlord's Representative	Foxtons Limited
Date of Application	3 July 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Ms S Beckwith MRICS Mr M Lynch
Date of Decision	1 September 2026
Rent Determined	£4,100 per calendar month
Date of Valuation	5 July 2026
Date the new rent takes effect	9 September 2026

REASONS FOR THE DECISION

Background

1. On 5 May 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £4,500 per calendar month (pcm) in place of the existing rent of £4,000 pcm to take effect from 5 July 2026.
2. On 3 July 2026, under Section 14 (A3) of the Housing Act 1988, the Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of an open-market rent.
3. The tenancy commenced on 9 June 2025. The rental period is monthly.

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 (other than carpets and curtain and white goods specified below) and the costs relating to the same.

5. The Property was let furnished with bed, mattress, chest of drawers, sofa, dining table, dining chairs, bench and TV.

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.

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

7. N/A

Hearing/Inspection

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

The Property

9. The Tenant provided room dimensions and photographs. The Landlord provided a floor plan with dimensions. The floor area is 607 sq ft (excluding a vault which is stated to not be demised).

10. The Property is a basement flat, offering the following accommodation:

Property: a bedroom, kitchen, living room, bathroom and hallway.

Outside: a garden (approximately 880 sq ft).

The Property is situated in northwest London, between Notting Hill and Paddington. Royal Oak station is approximately a quarter of a mile to the northeast.

Evidence

11. The parties completed the relevant MR1 (tenant), MR2 (landlord) and MR3 (tenant's reply).

The Tenant

12. The Tenant made the following comments:

- a) The Tenant confirmed that they had offered to replace rotten garden furniture, but has not done so due to this dispute.
- b) She has cleared out the gutters and drains because they were backing up and causing water damage in the walls.
- c) Given its nature as a basement flat, there are some issues with damp, evidenced by dark spots and peeling/flaking paint.

13. The Tenant provided the following comparables:

- a) Ledbury Road – a one bed, one bath 654 sq ft furnished basement flat with garden let for £3,467 pcm.

- b) St Stephens Crescent – a one bed, one bath 677 sq ft ground floor flat with garden let for £2,500 pcm.
 - c) Gloucester Terrace – a two bed, two bath basement flat with garden being marketed at £3,500 pcm.
 - d) Maybourne Court – a 663 sq ft two bed, two bath part furnished basement flat with garden let at £2,750 pcm.
 - e) Powis Gardens – a 694 sq ft two bed, one bath basement flat with garden let at £2,950 pcm.
 - f) Tavistock Road – a 1,040 sq ft two bed, two bath basement flat with garden let at £1,038 per week / c., £4,500 pcm.
 - g) Hereford Road – a 819 sq ft two bed, two bath furnished basement flat with garden on the market for £4,500 pcm.
 - h) Alexander Street – the Tenant has recently agreed a new tenancy on this unfurnished, lower ground floor flat with garden at £2,587 pcm.
14. The Tenant confirmed their opinion that the market rent is £3,800 pcm.
15. In their MR3 reply, the Tenant commented that many of the Landlord's comparables have enhanced amenities such as 24 hour concierge services and leisure facilities.

The Landlord

16. The Landlord made the following comments:
- a) The Landlord confirmed that any maintenance issues reported to the Landlord will be actioned, but those highlighted by the Tenant have not been reported.
 - b) Durham Terrace is regarded as one of the more desirable residential roads within W2 and commands a premium compared to nearby streets.
 - c) The Property was converted from a two bed and underwent high quality refurbishment.
17. The following comparables were provided by the Landlord:
- a) Inver Court – a 515 sq ft one bed flat let for £4,767 pcm.
 - b) Edgware Road – a 542 sq ft one bed flat let for £4,762 pcm.
 - c) Clanricarde Gardens – a 657 sq ft one bed flat let for £4,500 pcm.
 - d) Redan Place – a 597 sq ft one bed flat on the market for £4,500 pcm.
 - e) Newcastle Place – a 567 sq ft one bed flat on the market for £4,500 pcm.
 - f) Talbot Road – a 436 sq ft one bed flat on the market for £5,417 pcm.

Determination and Valuation

18. Comparable f) provided by the Landlord is available on a short term rental with bills included and the Tribunal places no weight on this property. Comparables b) and e) are located over one mile from the Property. Comparables a), c) and d) offer higher specifications or are located in buildings with superior amenities. The Tribunal therefore concluded that the market rent for the Property would be less than £4,500 pcm.
19. The Tenant provided a wide range of evidence between £2,500 pcm and £4,500 pcm. The Tribunal prefers evidence of properties of a similar size, configuration and specification within close proximity to the Property.
20. Relying on its own expertise and general knowledge of rental values in the area, and the comparables provided by the Landlord and the Tenant, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £4,200 pcm. This is the rent we would expect the property to let for in the open market at the valuation date and if it was in the same general condition as the comparable properties including having furniture provided by the Landlord.
21. From this level of rent, the Tribunal has made adjustments in relation to the following:
 - a) The condition of the Property, which the photographs showed was in need of redecoration in places.
22. The full valuation is shown below:

Starting Rent	£4,200 pcm
<i>Less</i>	
Condition	£100
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Open-Market Rent	£4,100 pcm

Decision

23. The Tribunal determines the new rent amount at £4,100 per calendar month with effect from 9 September 2026 which is the beginning of the first new period of the tenancy which begins on or after the date of the 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 (rule 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.