

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/00AN/MRA/2026/0027
Property	Flat A, 12 New Kings Road, London, SW6 4SA
Tenant	William Rothery Samuel Fletcher
Tenant's Representative	Kevin Fletcher
Landlord	Thomas Martin Mulvihill
Landlord's Address	9 Cedars Drive, Hillingdon, Uxbridge, UB10 0JT
Landlord's Representative	Marsh & Parsons Ltd
Date of Application	10 June 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Judge Wendy Banks – Chair Patrick McGreal MRICS – Tribunal Member
Date of Decision	13 August 2026
Rent Determined	Rent remains at £2,400 per calendar month

REASONS FOR THE DECISION

Background

1. On 07 May 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £2,550.00 per calendar month (pcm) in place of the existing rent of £2,400.00 pcm to take effect from 13 July 2026.
2. On 10 June 2026, under Section 14 (A3) of the Housing Act 1988, the Tenants referred the Landlord's notice proposing a new rent to the Tribunal for determination of an open-market rent.
3. The tenancy commenced on 13 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 Tenants describe the following furniture as being included, sofa, dining table & 4 chairs, chest of drawers, coffee table, 2 side tables, double bed x 2, bedside table x 2 and an outdoor dining table & chairs.

Liability for Council Tax

6. The Tenants are 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

8. Neither party requested an oral hearing. 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 Property is a basement flat within a five-storey Edwardian house, offering the following accommodation:

Property: Lounge, kitchen, two bedrooms and one bathroom.

Outside: There is a paved garden

The Property benefits from gas central heating with radiators, double glazing, tiled flooring and wood flooring in the bedrooms.

The Property is situated in in west London. Fulham Broadway Underground Station and cultural amenities are within a short walking distance.

Evidence

10. The Tenants completed the relevant MR1 (tenant). The Landlord did not respond to the application.

The Tenants

11. The Tenants considered that the current rent of £2,400.00 pcm should be maintained. They relied on their comparable evidence, which suggested a market rent of approximately £2,396.00 pcm, and submitted that this supported the existing rent. They also contended that no increase was appropriate because the Property was a basement flat in poor condition. In particular, they referred to expired gas and electrical safety certificates, an unidentified red button near the front door, unresolved maintenance issues said to raise health and safety concerns, and defects identified in the 2024 check-in report which they said remained outstanding.
12. The Tenants provided a one-page document headed “Rental Comparable Evidence – Flat A, 12 New Kings Road, Fulham SW6”. It sets out a short schedule of four asserted comparable properties in Fulham SW6: Querrin Street, Peterborough Villa, Fulham Broadway and Waldemar Street. The schedule identifies each property by street only, with floor level, number of bedrooms, monthly rent, agent, area in square metres and a calculated rate per square metre. The stated monthly rents range from £2,150 to £2,750, with a stated average rent of £2,413 and an average rate of £45.21 per square metre.
13. The document also applies the stated average rate per square metre to the subject Property, using an asserted area of 53 square metres, and produces a suggested market rent of £2,396.02 pcm. No underlying particulars, advertisements, photographs, floorplans, dates of marketing, tenancy details or other source material were provided to verify the asserted comparables or to enable the

Tribunal to assess their condition, specification, precise location, amenities or true comparability with the subject Property.

The Landlord

14. The Landlord did not respond.

Determination and Valuation

15. Relying on its own expertise and general knowledge of rental values in the area, and taking into account the evidence provided by the Tenants and the Landlord's failure to respond to the application, the Tribunal considers that the market rent of the subject Property is £2,400.00 pcm. The Tribunal did not find the Tenants' comparable evidence to be of material assistance because no underlying particulars, advertisements, photographs, floorplans, marketing dates or tenancy details were provided to support the asserted comparables or to enable their true comparability with the Property to be assessed. However, the Landlord did not provide any evidence in response to the application, and the Tenants themselves confirmed in their application that they considered the appropriate open market rent to be £2,400.00 pcm. In those circumstances, and applying its own specialist knowledge of rental values for properties of this type and location, the Tribunal determines that £2,400.00 pcm is the rent which the Property would reasonably be expected to achieve in the open market at the valuation date.
16. The Tribunal has not made any adjustment from that level of rent. The Tribunal considered the Tenants' comments concerning the condition of the Property, including the matters raised about expired safety certificates, the unidentified red button or break-glass unit, the alleged outstanding maintenance items, the check-in report, the correspondence and the photographs provided. While those matters were noted, the Tribunal did not consider that the evidence justified a deduction from the open market rent. In particular, the Tribunal was not provided with expert evidence, a schedule quantifying any rental impact, or sufficient evidence to establish that the matters complained of materially reduced the rental value of the Property as at the valuation date. The Tribunal therefore makes no adjustment for condition, repairs, furniture, services or any other matter.

Decision

17. The rent will remain at £2,400.00 per calendar month.

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.