	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**LON/OOAN/MNR/2026/0273**
Property	**17 Aspect Court, Lensbury Avenue, London, SW6 2TN**
Tenant	**Ling Kung**
Tenant's Representative	**None**
Landlord	**Shola Abraham**
Landlord's Address	**144 River Cresent, Waterside Way, Nottingham, NG2 4RE**
Landlord's Representative	**Kinleigh Folkard & Hayward**
Date of Application	**24 April 2026**
Type of Application	**Determination of an Open-Market Rent Sections 13 and 14 of the Housing Act 1988**
Tribunal Members	**R Waterhouse FRICS** **S Shaw**
Date of Decision	**11 September 2026**
Decision	**The Application is struck out under Rule 9 of the Tribunal Procedural (First –tier Tribunal) (Property Chamber) Rules 2013**

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REASONS FOR THE DECISION

Background

1. On 9 March 2026, the Landlord served a notice under Section 13(2) (as amended) of the Housing Act 1988 which proposed a new rent of £2800.00 per calendar month (pcm) in place of the existing rent of £2,500.00 pcm to take effect from 10 April 2026.

2. On 7 April 2026, a second notice was served under Section 13(2) (as amended) of the Housing Act 1988 which proposed a new rent of £2700.00 per calandar month (pcm) in place of the existing rent of £2500.00 pcm to take effect from 10 May 2026.

3. On 24 April 2026, the Tenant 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.

The Hearing

4. The hearing was set down for 11 September 2026 at 10:00am. The hearing was by CVP video platform. Present were Ling Kung the Applicant Tenant and Sarah Sartong of Kinleigh Folkard & Hayward, the Landlord's Agent.

5. The CVP platform was experiencing difficulties with the video so in the proceedings were undertaken by telephone only.

6. At the start of the hearing, the Applicant was asked to provide a brief summary of their challenges. These were (i) validity on the basis of the Notice period and rental period; (ii) the level of the rent; and (iii) the alleged behaviour of the agent.

7. The agent for the Respondent was asked to respond. They stated that they agreed with the three heading but noted that they took complaints seriously and so were taking the third aspect of the challenge forward through their internal processes.

8. The tribunal informed the parties that the jurisdiction of the tribunal only extended to the first two areas of challenges.

Validity of Notice – Section 13B of the Housing Act 1988

9. The question of validity for the applicant tenant rested on the period of the notice comparted with the period of rental payment.

10. The respondent stated and confirmed to the tribunal that both notices had been withdrawn.

11. The tribunal only has jurisdiction to make a determination if there is a valid notice. In this case, there are no notices at all both having been withdrawn.

12. The tribunal makes this determination under the Tribunal Procedural Rules 2013 Rule 9.

Striking out a party's case

(2) The Tribunal must strike out the whole or part of the proceedings or case if the Tribunal—
(a) does not have jurisdiction in relation to the proceedings or case or that part of them; and
(b) does not exercise any power under rule 6(3)(n)(i) (transfer to another court or tribunal) in relation to the proceedings or case or that part of them.

13. The tribunal determines that in the absence of any notice; the tribunal has no jurisdiction and so strikes out the Applicant's case under rule 9.

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 after 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.