

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/00AQ/MNR/2026/0236
Property	3 Eastleigh Avenue, Harrow, HA2 0UF
Tenant	Anas Elsayed Sadeem Yousif
Landlord	A2Dominion Homes Limited
Landlord's Address	113 Uxbridge Road, Ealing, London, W5 5TL
Date of Application	28 March 2026
Type of Application	Determination of an Open-Market Rent under sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr A Parkinson MRICS Mrs P Ogunfeibo
Date of Decision	22 September 2026
Rent Determined	£1,650 per calendar month
Date of Valuation	01 April 2026
Date the new rent takes effect	01 April 2026

REASONS FOR THE DECISION

Background

1. On 16 February 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £1,531.31 per calendar month (pcm) in place of the existing rent of £1,461.17 pcm to take effect from 01 April 2026.
2. On 28 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 an open-market rent.
3. The original tenancy commenced on 23 December 2020. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant

4. As per section 11 of the Landlord and Tenant Act 1985.

Service Charges or furniture provided by the Landlord (other than carpets, curtains, and white goods specified below) and the costs relating to the same.

5. There are no service charges for which the Tenant is liable.
6. The Property was let unfurnished.

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.

Hearing

8. A hearing was held on 15 September 2026 at 10.00am by video platform. The hearing was attended by Mr Elsayed. The Landlord did not attend but the Tribunal is satisfied that the Landlord was notified in advance and the hearing proceeded.
9. During the hearing Mr Elsayed reiterated the submissions made within his application as set out in paragraphs 15 and 16 below.

10. The Tribunal has considered this case on the basis of the brief oral hearing, the papers provided by the Tenant and its own knowledge and specialist expertise.

The Property

11. The Tenant requested an inspection of the Property within their application on the basis that photographs cannot fully show how small and awkward the third bedroom is and the Tribunal seeing the room in person would confirm that it is not a functional bedroom and is below the 4.65 m² legal minimum under the Housing Act 1985.
12. It was decided by a Tribunal Legal Officer that the photographs and submissions provided by the Tenant were sufficient to understand the property's condition, making an inspection unnecessary and disproportionate, noting that any party may apply within 14 days for the decision to be reconsidered by a Judge.

13. The Property is a semi-detached house offering the following accommodation:

Living room, dining room, kitchen, two bathrooms and three bedrooms

Outside: Garden.

The Property benefits from central heating and double glazing.

The Property is situated in Harrow and has good access to public transport and local shops and amenities.

Evidence

The Tenant

14. The Tenant made the following comments within their application:
 - a) I propose a market rent of £1,200 – £1,320 per month for the following reasons:
 - Property classification – The property is advertised as a 3-bedroom house, but the third bedroom is an L-shaped room with a total usable floor area of only 4.25 m². This is below the 4.65 m² statutory minimum for a bedroom under the Housing Act 1985. The property is therefore legally a 2-bedroom house.
 - Market evidence – I have reviewed current rental listings in the HA2 postcode area. Genuine 3-bed houses rent for £2,000 – £2,500 per month. Two-bedroom properties rent for £1,500 – £1,650 per month.

- The landlord's proposed rent of £1,531 falls squarely within the 2-bed market range, confirming the market values this as a 2-bed property.
- Intermediate Rent tenure – This is an Intermediate Rent tenancy. The UK Parliament has defined Intermediate Rent as homes let at least 20% below local market rents . Applying the 80% rule to the 2-bed market range (£1,500–£1,650) gives a fair rent of £1,200 – £1,320.
 - Landlord's refusal to provide evidence – A2Dominion has refused to provide any calculations or market evidence and has confirmed the Tribunal is the appropriate route for determination.
 - Landlord refused to engage – A2Dominion refused to provide measurements, calculations, or market evidence, and confirmed the Tribunal is the appropriate route. I respectfully request that the Tribunal determines a market rent based on the property's true classification as a 2-bedroom house, applying the Intermediate Rent cap of 80% of the 2-bed market rate (£1,200–£1,320).
- b) The Tenant submitted photos of the third bedroom and a drawing of the size and dimensions of this room which the Tribunal is grateful for.
- c) The notice of increase is not legally valid for the following reasons:
- Not on prescribed form – The notice was not served on the prescribed Section 13 notice (Form 4) as required by the Renters' Rights Act 2025 for assured tenancies.
 - Contractual clause no longer permitted – A2Dominion relied on clause 1.2 of my tenancy agreement. From 1 May 2026, such contractual rent review clauses are no longer valid for assured tenancies under the Renters' Rights Act 2025.
 - Insufficient notice period – The government's own guidance confirms landlords must give at least 2 months' notice . My notice was dated 16 February 2026 for 1 April 2026 – only 6 weeks.
 - Property misclassification – The third bedroom is only 4.25 m², below the 4.65 m² legal minimum, so the property is a 2-bed house. The proposed rent exceeds the Intermediate Rent cap of 80% of market rate.
15. The Tenant provided screen shots of several Right Move property listings to support their case showing a range of properties including two bedroom flats and two and three bedroom houses. Asking rents range from £1,350 for a two bedroom flat to £2,225 for a three bedroom, one bathroom flat in HA2.

The Landlord

16. The Landlord did not submit any comments or evidence to support their position.

Determination and Valuation

17. The Tenant has raised a concern regarding the validity of the Landlord's notice of increase. As the date of the notice is prior to 1 May 2026, the Renters' Rights Act 2025 does not apply in this case. If the Tenant wishes to challenge the validity of the Landlord's notice (Form 4) proposing the new rent they must make an application to the County Court.
18. Under section 14(1) of the Housing Act 1988 (as amended), the Tribunal is required to determine the rent at which the Property might reasonably be expected to let in the open market by a willing Landlord at the date specified in the Landlord's notice. Relevant Tenant improvements or failure of the Tenant to comply with the terms of the tenancy are to be disregarded. Historic issues relating to the tenancy or the personal circumstances of the Landlord are not taken into account. The personal circumstances of the Tenant are only considered if an application for hardship has been made and this only relates to the rent start date rather than the market rent amount.
19. The Tribunal is required to determine the market rent and there are no requirements for the Tribunal to assess the rent at 20% below the market rent as suggested by the Tenant, regardless of whom the Landlord is.
20. Relying on its own expertise and general knowledge of rental values in the area and taking into account the comparables provided by the Tenant, the Tribunal considers that the market rent of the subject Property would be in the order of £1,650 pcm. This is the rent the Tribunal would expect the property to let for in the open market at the valuation date.

Open-Market Rent

£1,650.00 pcm

Decision

21. The Tribunal determines the new rent amount at £1,650 per calendar month with effect from 01 April 2026 which is the date specified in the Landlord's Notice of Increase.

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.