



**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case Reference	:	LON/00AT/MNR/2026/0342
Property	:	210 Stavely Gardens London W4 2TE
Applicant	:	Zahra Abukar (Tenant)
Representative	:	Marcin Braja
Respondent	:	Chiswick Studios Ltd. (Landlord)
Representative	:	Timothy Deal of Counsel
Date of Application	:	10 May 2026
Type of Application	:	Determination of a Market Rent sections 13 & 14 Housing Act 1988
Tribunal Members	:	N. Martindale FRICS
Date of Decision	:	25 September 2026
Rent Determined	:	£3250 per calendar month
Date of new rent start	:	12 May 2026

REASONS FOR DECISION

Background

- 1 A landlord's notice dated 26 March 2026, was served under Section 13(2) Housing Act 1988 proposing a new rent of £5000 per calendar

month in place of the passing rent of £1807.08 pcm, to take effect from 12 May 2026.

- 2 At a date, 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 Furniture included: Couch, 3 wardrobes, 2 cupboards, bookshelf, dining table, 10 chairs, computer stand. Landlord provided the usual white goods in the kitchen and where required, floor coverings.

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 forms part of short terrace of 2 storey houses built in the 1970's. The terrace is part of a larger housing development of terraced houses and flats in low rise blocks. They appear to be mostly of the same age and have the appearance of a social housing estate judging by other low rise blocks of flats houses and open spaces nearby. The road is a quiet cul-de-sac with on street parking without apparent restriction. (Google Streetview July 2025).
- 10 The Property has brick and rendered walls and a low pitched single lap tiled roof. The windows are double glazed in PVCu frames. Some units have lost their seal and vacuum. There is gas fired space and water central heating.

- 11 The Property has accommodation on 2 levels. First floor: 3 bedrooms, bathroom/wc. Ground floor: living room, kitchen/diner and a shower/wc and third wc. There are small gardens to front and rear. The occupier had/ was using a ground floor reception, as a fourth bedroom.

Evidence and Hearing

- 12 The Tribunal received completed Form MR1 dated 10 May 2026 and then later Form MR3 the final reply from the tenant with some back ground to the tenancy. The Tribunal received Form MR2 from the landlord. The parties included some photographs of the Property. The tenant included a report on the condition of the Property prepared by a private Environmental Health Officer.
- 13 The Tribunal is grateful for such information as was provided by one or both of the parties. The written material was supplemented by attendance of both parties through their respective representatives at a video based hearing online. They were able to explain and clarify areas of uncertainty identified by the Tribunal.
- 14 On the day before the hearing, the respondent sought to file additional documents. The applicant objected on account of not having sufficient time to consider them. The Tribunal rejected the documents; filed too late. It did not consider them.

Tenant

- 15 The tenant contested the validity of the notice, asserting that the Tribunal had no jurisdiction, however it appeared to the Tribunal that these objections principally concerned the Property itself and its rental value. The tenant's own private EHO report asserted that the Property had several deficiencies but, was not actually "unfit for human habitation". The Property had not been subject to any local authority enforcement action, to remove any hazards that might be found, in the form of an Improvement or Prohibition Notice or even the provision of Guidance to the landlord, to effect essential repairs. In essence there was a short list of disrepair items. The most significant of these was 'excess cold' (Category 1 Hazard), this being primarily down to leaking double glazed units and/ or frames especially the ground floor rear doors to the garden.
- 16 The report commissioned by the tenant prepared April 2026 highlighted defects at the Property including: 1. leaking kitchen taps; 2. damp patch to ceiling; 3. mould to seal between plastic window frames in the kitchen and living room and the wall; 4. a loose section of waterproof floor up stand in the GF bathroom; 5. drafts to the external door in the living room; 6. blown window unit seals to some glass panes in the bedroom windows; 7. no working smoke alarm; 8. a loose door bell; 9. damage to shed timbers from water ingress; 10. paint peeling to the exterior woodwork by the kitchen. 11. The kitchen unit doors were

described as loose and unevenly fixed and the one located over the oven was visibly heat damaged in at least one photograph.

- 17 The tenant referred to a number of comparable properties. These were said to include both houses and flats nearby as follows: 1. A 3 bedroom, 1 bathroom, flat with balcony over 96m², in Acton Lane at £4750 pcm. 2. A 3 bedroom 3 bathroom flat in Chiswick High Road W4 at £3900 pcm. 3. A 3 bedroom 1 bathroom maisonette in Upham Park Road W4 at £3000 pcm. 4. A mid terraced 2 storey house 3 bedroom and 3 bathroom in Duke Road W4 at £4500 pcm. 5. A 3 bedroom 2 bathroom flats in Chiswick Park W4 at £3500 pcm. 6. A 3 bedroom 2 bathroom flat in Chiswick High Road W4 at £2800 pcm. 7. A 2 bedroom 1 bathroom mid-terraced house in Chiswick Park W4 £2850 pcm. 8. A 2 bedroom 1 bathroom purpose built flat in Clement Lane W4 £2000 pcm. 9. A 3 bedroom 1 bathroom period mid-terraced house in Quick Road W4 at £3800 pcm. 10. A 3 bedroom 1 bathroom mid-terraced house in Ernest Gardens W4 at £3700 pcm. And, 11. A 3 bedroom 2 bathroom mid-terraced house in Swanscombe Road W4 at £3800 pcm.
- 18 The Tenant felt that the rent could increase, but only to £2200 pcm.

Landlord

- 19 The Tribunal received representations from the landlord maintaining that the Property was a 4 bedroom house. The landlord referred to the EHO report referring to and so confirming existence of a 4th bedroom.
- 20 The landlord referred to a smaller number of comparable lettings nearby. They appeared to all of houses, rather than tenant's a mix of houses and flats. These included: 1. Cranbrook Road W4 a mid-terraced house with 4 bedrooms 2 bathrooms on 3 levels at £5250 pcm. 2. Dale Street a mid terraced house with 3 bedrooms and 2 bathrooms variously at £7500 and £8500 pcm. 3. St Albans Avenue a mid terraced house with 3 bedrooms and 2 bathrooms at £5000 pcm. 4. Geraldine Road a mid terraced period house of 3 bedrooms and 1 bathroom at £4000 pcm. These houses appeared to be particularly well presented, to let.
- 21 Lastly the landlord included a large number of bank statements showing payment flows in and out of an account. The purpose was unclear to the Tribunal at first but, was said to show the history of the letting. In particular that the rent on grant was artificially low on the landlord's receipt of a one off capital grant of about £5000, from a local housing authority towards essential repairs, payment made just prior to the grant of this lease.

Law

- 22 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.

Valuation

- 23 The Property was unusual, being a 1970's house of 3 bedrooms plus a rear living room and front kitchen /diner. When it was let the local market appeared to show that it was intended to be attractive to students, for 4 single house sharers, the rear reception room being a 4th letting room. The presence of the ground floor shower room made this particularly attractive besides a main bathroom/wc to first floor and a third wc at the Property.
- 24 The Tribunal found the Property functional but, relative to older houses in the area, largely inelegant outside, despite being located in a quiet housing estate. The Tribunal found the details of flats presented by the tenant were useful, as a check on similar accommodation but overall, the Tribunal preferred house comparables.
- 25 From the Tribunal's own general knowledge of market rent levels in LB Hounslow for a Property of this type it determines that the rent when let on normal Assured Periodic Tenancy (APT) terms, would be £3250 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.
- 26 The Tribunal found the assertion by the landlord that the Property was a 4 bedroom dwelling as unrealistic and unhelpful. It was clear to the Tribunal that the house had 2 reception rooms but, that one that, it appeared, had simply been used as a bedroom, principally by one of the occupiers for health reasons. It was not a 4 bedroom house but might be more useful with this potential, than a simple 3 bedroom house without additional space and the second shower room, downstairs.
- 27 When adjusting the starting rental value of the Property, the Tribunal also considered the report prepared April 2026 for the tenant. It was clearly intended primarily for other purposes. It described a small number of minor defects, or ones where there was no owe-ness on the landlord to remedy. For the small number of minor defects at the Property the Tribunal makes no adjustment to the starting figure and determines the market rent at £3250 pcm unadjusted therefore.

Undue Hardship

- 28 At most, the effective start date for the new rent could be delayed to the date of the decision, if undue hardship was found by the Tribunal. Allowance for hardship from this increase in the rent was sought by the tenant in their application but, insufficient supporting evidence was provided for the tenant and nothing in respect of other occupiers. The Tribunal finds that there is no undue hardship here. The effective date of the new rent remains that of the landlord's notice.

Decision and effective start date

- 29 The starting date of the new rent of £3250 pcm inclusive to be levied is from and including 12 May 2026.
- 30 **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 25 September 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).