	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/00BE/MNR/2026/0412
Property	2 Acanthus Drive, Rolls Road, London SE1 5HJ
Tenant	Joanna Walsh
Tenant's Representative	None
Landlord	BMR St James 4 Ltd
Landlord's Address	c/o 4th Floor Sutherland House, 70-78 West Hendon Broadway, London NW9 7BT
Landlord's Representative	Freshview Estates Ltd
Date of Application	27 May 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr D Jagger MRICS Ms S Allen
Date of Decision	1 October 2026
Rent Determined	£1,675 per calendar month
Date the new rent takes effect	1 June 2026.

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REASONS FOR THE DECISION

Background

1. On 31 March 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,900 per calendar month (pcm) in place of the existing rent of £1,318 per month to take effect from 1 June 2026. This being an increase of £582 (approximately 44%).

2. On 27 May 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 a market rent.

3. The assured tenancy commenced on the 2 August 1991. The Tribunal were presented with a copy of the agreement at a passing rent of £650 per month. The tenancy was for a term of 12 months; therefore, this is a statutory tenancy agreement.

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:

5. No Furniture supplied by the landlord

6. No service charges are payable by the Tenant.

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.

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

8. It is assumed; there are none.

Inspection/Hearing

9. The Tenant requested a hearing and an inspection which was agreed to by the Tribunal.

10. The Tribunal has therefore, considered this case on the basis of the inspection and the hearing, together with the papers provided by the parties and its own knowledge and specialist expertise.

The Hearing.

11. A Video hearing via CVP to hear the parties' representations in this case was held on the 1 October 2026. The hearing was attended by Mr Isaac Chisel on behalf of the Landlord, the Tenant Joanna Walsh and her daughter Francesca Walsh. During the hearing the Tribunal set out the issues, and it is the Tribunal's task to determine a market rent based upon the evidence provided.

The Tenant's Submissions

12. The Tenant stated that she has lived at the property for approximately 35 years and during that time there have been various landlords. Over the years the estate has not been managed and the external areas have been neglected. The original tenancy was for affordable homes.

13. The comparable evidence provided by the Landlord only provide marketing rental values and not the actual rental value the flat let for. In addition, the condition of the property is unknown.

14. The subject flat is unmodernised; the kitchen and sanitary fittings are original. The electric storage heaters are very basic and dated.

15. The flat suffers from damp and mould to the internal walls. The Landlord has attempted to undertake redecoration with a basic undercoat and emulsion paint.

16. The chipboard flooring in the bathroom is damaged and spongy.

17. The external areas and common parts are in poor condition with a build up of rubbish and poor estate management which must be reflected in rental values.

18. The St James Tenants Association undertook a survey of 182 homes in the local area and the data revealed the average rent for 2-bed properties in our local area is £1557.03 per month.

19. The rooms sizes are small compared to most two bedroom flats in the area.

The Landlords Submissions

20. Mr Chisel stated that the comparable evidence produced in the bundle confirm a market rent of £1900 pcm with some rental values on the estate in excess of £2000 pcm.

21. He confirmed that the Landlord acquired the estate in November 2025 and therefore they are relatively new managing agents.

22. The damp and mould issues are under investigation and currently being decorated.

23. The Tribunal must determine a market rent and the previous social rental values are historic and should not be considered relevant.

The Inspection

24. The Tribunal inspection the property in the afternoon of the 1 October 2026 in the presence of the Tenant and her daughter together with a representative of the Landlord.

The Property

25. The property is a purpose built ground floor flat forming part of a three storey building built around 1990 with communal access arrangements. The accommodation comprises two bedrooms, living room, kitchen and bathroom. The flat has an EPC Rating of C78 which is above average and a stated floor area of 50m2. The property has replacement electric panel heaters, double glazed windows, white goods and floor coverings.

    Outside: The property has brick elevations under a pitched and tiled roof. There are non allocated parking spaces.

    The Property is situated in an established residential area close to local amenities and South Bermondsey station.

Evidence

26. Both parties returned the Tribunal's completed Rent Appeal Statements together with helpful photographs and floor plan. The Landlord produced a schedule of comparable evidence of recent lettings in the Bermondsey area.
27. The Tenant produced a comparable two bedroom flat to let at £1650. The Landlord stated this was a "discounted market rent" and should not be considered as market rent evidence.

28. The Landlord produced a schedule of comparable evidence of recent lettings in the Bermondsey area. The properties gave a very wide range of £1750 per month through to £3,100 per month.

Determination and Valuation

29. Section 14 of the Housing Act 1988 requires the Tribunal to determine the rent at which it considers the Property might reasonably be expected to be let on the open market by a willing landlord under an assured tenancy, on the terms of the subject tenancy other than as to rent, and disregarding the matters set out in section 14(2). Those disregards include any effect on the rent attributable to the fact that the Tenants are sitting tenants, and any increase in value attributable to a relevant improvement carried out by the Tenants.

30. The Tribunal is grateful to both parties for the comprehensive written statements, the comparable evidence provided by the Landlord and helpful submissions made at the hearing. The evidence relied upon by the Landlord consists of advertised asking rents rather than achieved rents. Asking rents are of assistance in establishing the tone of the market but they are not conclusive, since a property may in the event let at a figure above or below the rent at which it was advertised.

31. The Tribunal can only place limited weight on the survey undertaken by St James Tenants Association of 182 homes in the local area as no information was provided on the type of property, the location and whether it included affordable rental values.

32. Relying on its own expert, general knowledge of rental values in the Bermondsey area, together with the comparable evidence provided by the landlord, the Tribunal considers that the market rental of the subject property, modernised and in good condition would be in the order of £1900 per month. This is the rent we would expect the property to let for in the open market including having white goods and curtains provided by the landlord.

33. From this level of rent, the Tribunal has made the following adjustments in relation to the following:

    a) Evidence of mould and damp to the main walls.
    b) Ineffective and minimal electric heating system
    c) Dated kitchen unit and bathroom units
    d) Poor estate management of external areas.

34. The Tribunal has considered very carefully this information and using its own expertise considers that a deduction of £225 should be applied in order to take account of the above matters. It should be noted that this figure cannot be a simple arithmetical calculation and is not based upon capital costs but is the Tribunal's estimate of the amount by which the rent would need to be reduced to attract a tenant.

    The full valuation is shown below:

Starting Rent		£1,900
Less		
a)	Items given under a)-d) above	£225
Market rent		£1,675 pcm

Undue hardship

35. The new rent takes effect from the date specified in the Landlord's Notice of increase unless that would cause undue hardship to the tenant. In cases of undue hardship, the Tribunal has a discretion to fix a later starting date up to the date a Tribunal makes its determination.

36. The tenant has stated that the proposed rent increase would cause undue hardship. The Tenant stated she has mental health and anxiety issues and any increase in rent would cause undue stress. On the basis of the evidence supplied by the tenant, the Tribunal considers that there is not sufficient evidence to show that the new rent taking effect from the date specified in the Landlord's notice would cause undue hardship and accordingly sets the starting date for the new rent as 1 June 2026.

Decision

37. Therefore, the Tribunal determines the market rent at £1,675 per calendar month with effect from the 1 June 2026 being the starting date specified in the Landlord's notice.

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 (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.