	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/00AM/MNR/2026/0255
Property	105 Roding Road, Hackney, London E5 0DR
Tenant	Grace Gottardello
Tenant's Representative	N/A
Landlord	Andrew John Harvey
Landlord's Address	37 Margate Road, Herne Bay, Kent CT6 7BJ
Landlord's Representative	None
Date of Application	30 April 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr D Jagger MRICS Mr T Leppard
Date of Decision	14 October 2026
Rent Determined	£3,200 per calendar month
Date the new rent takes effect	16 April 2026

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REASONS FOR THE DECISION

Background

1. On 8 March 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £4,950 per calendar month in place of the existing rent of £3,200 per calendar month to take effect from 16 April 2026. This being an increase of £1,750 which equates to approximately 54%.

2. On the 30 April 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 tenancy is an assured shorthold tenancy granted to four individual Tenants by an agreement dated 16 April 2024, A copy of the agreement was included within the bundle of evidence. The rental period is monthly, for a term of 6 months at a gross rent of £2,392. Therefore, this is an assured periodic agreement. The rent was split between the four Tenants stated on the agreement, the applicant being one of them.

Allocation of Repairs between Landlord and Tenant.

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

5. The Tenant is responsible for internal decoration and for some minor repairs.

Services Charges or furniture provided by Landlord

6. Service charges are not payable by the Tenant for the Property.

7. It is assumed the property was let unfurnished.

8. The rent is exclusive of any charges for utilities

Liability for Council Tax

9. 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.

10. None

Inspection/Hearing

11. The Tenant requested a hearing which was accepted by the Tribunal. The Tribunal has considered this case on the basis of the papers provided by the parties and its own knowledge and specialist expertise.

The Hearing

12. A CVP hearing took place at 14.00pmn on the 14 October 2026. The Tenant Grace Gottardello was in attendance. The Landlord did not take part in the hearing.

13. The Tribunal set out the parameters of the hearing and confirmed it had read the papers, and it is the Tribunal's task to determine a market rent based upon the evidence provided by the parties.

The Tenant's Submissions

14. The Tenant confirmed she vacated the property on the 24 May 2026, and essentially this determination is in connection with the level of back rent from the 16 April 2026 through to the 24 May 2026.

The Landlord's written Submissions

15. The property has a valid HMO Licence granted by Hackney Council.

16. The Tribunal was incorrect in assessing the property as a three bedroomed house. It has four bedrooms that all exceed habitable room size requirements, one of which exceeds the size requirements for double occupancy hence the licensing by London Borough of Hackney as being suitable for occupation by 5 people.

17. The applicant claims to have an individual room contract for which average rents in E8 are £1375 making a total for all 5 occupants of £6875 pcm so the proposed rent is way under market rate.

18. The tenants have made numerous bogus disrepair claims to the local authority which has resulted in two full professional condition reports from London Borough of Hackney's environmental health officer both of which found the

house to be in "good condition both internally and externally with no damp or mould, and no heightened moisture readings" The acrow props in the kitchen were added by the Landlord to cater for the additional disability needs of one resident at no extra cost to the tenants

The Property

19. The property is a Victorian mid terrace house with brick elevations under a pitched and slate roof.

20. The original accommodation comprises: three bedrooms, two reception rooms, kitchen/breakfast room, bathroom and lavatory. The windows are double glazed, there is gas central heating and floor coverings. There is an enclosed rear garden. The property has an EPC Rating of D which is average and a stated floor area of 105m2.

    The property has subsequently been converted to a four room HMO with one of the former reception rooms converted to a ground floor bedroom.

    The Property is located in an established residential area, convenient to local amenities and Clapton station.

Evidence

21. The parties provided written statements together with helpful photographs. The parties did not produce any comparable evidence.

Determination and Valuation

22. 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 Tenant.

Determination and Valuation

23. On the 20 October 2025 the Tribunal determined that the market rent of the property is £3,200 per month with effect from 16 April 2025 following a hearing and an inspection. In that decision, "*The Tribunal considers that this is a three bedroomed house having been designed with two ground floor reception rooms.*

It does not therefore consider that four-bedroom houses are the correct comparator".

24. The Tribunal commented in paragraph 16 that overall, the house was in good condition, apart from the two Acro props in the kitchen adjacent to the bay window which would reduce marketability significantly. It noted some limited wall staining from past water ingress. The bathroom and WC are both tired with non-matching suites. The front steps are missing some tiles. The kitchen is generally in good condition, but the floor is sloping in part. The tribunal does not consider that the outside WC would impact rent. The Tribunal did not detect a particular problem with floorboards. It also notes that the EHO report was favourable overall.

25. This Tribunal takes a different valuation methodology to that of the previous Tribunal determination. The Tribunal must consider whether an increased rent reflects the open market rental value for a House in Multiple Occupation (HMO), provided the property is legally permitted to operate as an HMO and comparable market evidence supports the figure. The property has a valid HMO Additional Licence granted by Hackney Borough Council (HAC-191307) However, the Tribunal have not been provided with any comparable evidence by the Landlord.

26. Under Section 14 of the Housing Act 1988, the Tribunal's core duty is to determine what the property would reasonably achieve if let on the open market under a similar tenancy. In this case, the property is legally configured and licensed as an HMO, Therefore, the Tribunal must compare it against other licensed HMOs or similar room-by-room/shared accommodations in the local area rather than standard single-family dwellings.

27. It is for the Landlord to submit robust evidence in order to substantiate his case—such as actual agreed lettings for similar HMO rooms or properties nearby, rather than just asking prices from portals like Rightmove or Zoopla.

28. Relying on its own expert, general knowledge of rental values for rooms in the Homerton area the Tribunal considers that the market rental value of in its current condition would be in the order of £800 per month. This is the rent we would expect the property to let for in the open market including having shared kitchen and one bathroom.

29. From this level of rent, the Tribunal has made no adjustments.

Market rent £800 x 4 £3,200 pm

Decision

30. Therefore, the Tribunal determines the market rent at £3,200 per calendar month with effect from 16 April 2026.

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.