	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**LON/00BE/MNR/2026/0456.**
Property	**16 Achilles Close, London SE1 5HE.**
Tenant	**Albert Ladonu Bobie** **Mrs. Faustina Darling (Bobie)**
Tenant's Representative	**In person.**
Landlord	**BMR St. James 4 Ltd.**
Landlord's Address	**32 Castlewood Road, London N16. 6DW.**
Landlord's Representative	**Donna Murphy – Freshview (Eviction Specialist).**
Date of Application	**29 May 2026.**
Type of Application	**Determination of a Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Tribunal Judge Hamilton-Farey LLB FRICS.** **Mrs. P. Ogunfeibo.**
Date of Decision	**12 October 2026.**
Rent Determined	**£1,900.00 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 £1900 per calendar month instead of the existing rent of £1650.00 per calendar month to take effect from 1 June 2026.

2. On 29 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 17 August 2018 for a term of 36 months. The rental period is monthly. A copy of the tenancy agreement had been submitted with the tenant's evidence.

Allocation of Repairs between Landlord and Tenant.

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

Liability for Council Tax

5. 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.

6. None.

Inspection/Hearing

7. The applicant requested a hearing. This was held on 12 October 2026 at 14:00 hrs. Mr. Bobie represented himself at the hearing and the respondent landlord was represented by Ms. Donna Murphy who described herself as the agents' (Freshview) eviction specialist.

The applicant's case:

8. Mr. Bobie did not provide actual evidence of rentals for similar properties to the subject, but did produce a witness statement regarding local open market rental values, which suggested the following rents applied in the area:
   - **i.** The average rent for a 1-bed property was £1,326.15 pcm
   - **ii.** The average rent for a 2-bed property was £1,557.03 pcm
   - **iii.** The average rent for a 3-bed property was £2,097.00 pcm.

   The witness statement was signed by Abigail Bunyan, the Chair of the St. James Tenants Association.

9. Taking the above into consideration Mr. Bobie suggested that the rent for his property should be £1,557.03 per calendar month.

10. As part of his submission to the tribunal Mr. Bobie stated that the landlord had been repossessing local properties, turning them into Houses of Multiple Occupation (HMO) and that there was severe disruption by noise and works being undertaken.

11. He made no comments regarding the rental evidence provided by the landlord but informed the tribunal that he would suffer hardship if the rent was increased to the proposed level.

The Landlord's Case:

12. Ms. Murphy said that the proposed rent for the property was discounted to take account of the fact that the tenancy was eight years' old, and therefore fixtures and fittings would not be the same as those on a currently, newly refurbished property on the estate.

13. Open market rental evidence of the following properties was provided as follows:

Welsford Street SE1	2 bed, 1 bath apt	£2,600.00 pcm	Available 24/6/26
Oxley Close SE1	2 bed, 1 bath apt	£1,750.00 pcm	18/05/2026
Sheppard Drive SE16	2 bed, 1 bath apt	£1,850.00pcm	15/6/2026
Cadet Drive SE1	2 bed, 1 bath apt	£2,000 pcm	24/5/2026
Abercorn Way	2 bed,	£2,250 pcm	29/6/2026
Burnell Walk SE1	2 bed, 1 bath	£2,300 pcm	26/6/2026

In addition, the landlord supplied copies of other tribunal decisions as follows:

84 Acanthus Drive SE15	2b maisonette.	£1,900.00 pcm	Effective 20/7/26
82 Acanthus Drive SE15	2b maisonette.	£1,900.00 pcm	Effective 20/7/26

14. Ms. Murphy confirmed to the tribunal that, in the landlord's view the rent sought, and those set by previous tribunals, were discounted from the market rent to reflect differences in tenancy, condition etc.

The Property

15. Neither party requested an inspection, but from the agreed information, the tribunal was informed that the property was a two-bed maisonette on two floors, comprising Living Room, Kitchen, Bathroom with two bedrooms on the first floor. The property had the benefit of electric heating, double glazing and a garden, and had been let with a washing machine and cooker, with carpets to all floors except the kitchen and bathroom.

Evidence

16. Both the Tenant and the Landlord returned the Tribunal's Reply forms.

The Tenant.

17. The Tenant made the following comments:

    a) That he does not agree with the proposed rent and suggests that £1,557.03 per month would be reasonable. This figure was based on an average of rental evidence he had been given from local residents/the residents' association. No evidence of those rentals was provided.
    b) With regard to his claim of hardship, he provided no evidence but said that he was supporting a son at university and another at home, and that he did not wish to leave the area because his family had both friends and family in the area that supplied support and friendship.

18. In terms of rental evidence, the Tenant had provided none.

The Landlord

    a) The landlord relied on figures from two tribunal decisions.

Determination and Valuation

19. The Tribunal without any evidence from the Tenant, preferred that of the landlord from which it was clear that a modernised, two-bedroom flat in the vicinity could command a monthly rental of between £2,000 and £2,300. Relying on our own expert, general knowledge of rental values in the area, and the comparables provided by the Landlord, the tribunal considers that the market rental of the subject property would be in the order of £1,900.00 pcm. The is the rent we would expect the property to let for in the open market, taking into account the length of the current tenancy.

Market rent **£1,900 pcm**

Undue hardship

20. 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.

21. The Tenant has asked the Tribunal to fix a later starting date in this case on the basis that he is supporting a son at university and another at home, and the family would not wish to leave their current accommodation.

22. The Landlord did not accept that hardship applied and suggested that the costs of having children at university and at home, were the usual costs that a family would have and were not exceptional so as to command a discount against, what was in effect an already discounted rent.

23. The Tribunal accepts the landlord's argument in relation to hardship and confirms that the commencement date for the new rent should be the date shown on the Notice of Increase, 1 June 2026.

Decision

24. Therefore, the Tribunal determines the market rent at £1,900 per calendar month with effect from 1 June 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.