FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	**LON/00AU/MRA/2026/0251**
Property	**:**	**Flat 1, 477 Hornsey Road London N19 3QL**
Applicant	**:**	**Benjamin Persaud & Jenny Taylor (Tenants)**
Representative	**:**	**None**
Respondent	**:**	**Monica Tomaselli (Landlord)**
Representative	**:**	**David Andrew Estates (Agent)**
Date of Application	**:**	**4 August 2026**
Type of Application	**:**	**Determination of a Market Rent sections 13 &14 Housing Act 1988**
Tribunal Members	**:**	**N. Martindale FRICS W. Gibbs**
Date of Decision	**:**	**23 September 2026**
Rent Determined	**:**	**£1700 per calendar month**
Date of new rent start	**:**	**30 September 2026**

REASONS FOR DECISION

Background

1 A landlord's notice FORM 4A, dated 15 June 2026, was served under Section 13(2) Housing Act 1988 proposing a new rent of £1800 per

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calendar month in replacing a passing rent of £1700 pcm, with effect from 31 August 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 No furniture included. Landlord's white goods and a variety of other fixed floor finishes and 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 is within a terrace of later Nineteenth Century shops with extensive original living accommodation above. Each Building is of 4 levels, plus any basement. The former shop owner's accommodation at this Building has long since been separated from the ground floor commercial use and subdivided into what appear to be 3 self contained flats. The Property is at the second floor using communal internal landings and stairs shared with the other two flats. The floor area is said to be some 49m2. The entrance is off the back edge of the pavement at the front.

10 The Property has a bedroom, living room kitchen and bathroom. The Property is located on the busy local road, Hornsey Road towards the north end of LB Islington. It is not located near to a transport hub or mainstream food retail. Roads off Hornsey Road are essentially residential, many containing subdivided former houses of similar age.

11 The Property is visibly of traditional brick to upper floors. The roof is not visible from street level but, is likely to be double pitched 'butterfly' arrangement behind a dwarf parapet wall to the front. It appears in fair to good condition, in external appearance. Window glass is double glazed in what appear to be plastic replacement window frames. There is gas fired central space and water heating. There are on street parking restrictions and no off street parking at the Property. (Google Streetview September 2025).

Evidence

12 The Tribunal received completed Form MR1 of 4 August 2026, with the landlord notice in Form 4a. Later the reply Form MR2 came from the landlord both providing some additional background to the Property and the letting. The tenant replied through Form MR3 with near identical material already supplied. The Tribunal is grateful for such information as was provided by one or both of the parties.

Tenant

13 The tenant did not contest the form or content of the landlord's S.13 Notice but, did contest the new rent. The tenant felt that the rent should remain at the starting rent of £1700 pcm.

14 They cited many of the landlord's lettings, including those of 1 bedroom flats at: 1. Pleshey Road N7 of 53m2 at £1650 pcm. 2. Hornsey Road N19 at £1600 pcm. 3. Holloway Road N19 at £1700 pcm. 4. Marlborough Road N19 of 53m2 at £1750 pcm. 5. Raynor Gardens N19 purpose built, at £1600 pcm. They included details of some 20No. other nearby 1 bedroom flats, let at rents ranging from £1600 to £1750 pcm. The information included weblinks. The Tribunal does not open links. A party needs to include the full documents in their response.

15 The tenant included some 5No. photographs mainly of the interior of the Property. Many of the comparables were of flats located in roads off main routes with less road traffic and resulting noise and dirt and/ or enjoyed slightly larger floor areas than the Property.

Landlord

16 The landlord's agent referred to a smaller range of comparables let at rents ranging from £1750 to £1900 pcm all 1 bedroom flats nearby. These were at Marlborough Road N19 and Holloway Road N19. The landlord maintained that these showed a modest but measurable increase in rents since the grant of the original lease here on 31 May 2025.

Law

17 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

18 From the Tribunal's own general knowledge of market rent levels in LB Islington and having regard for each party's comparable materials, for a Property of this type and location, it determines that the subject Property would let on normal Assured Periodic Tenancy (APT) terms, for £1700 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 floor coverings.

19 The Tribunal noted that the Property remained on a busy local road with significant commercial use at ground level in the Building and at adjacent properties. This was unlike some comparables in quieter side roads. Taking into the floorspace, lack of furniture, distance to local shops and public rail transport, the Tribunal determines the new market rent at £1700 pcm.

Undue Hardship

20 At most, the start date for the new rent could be delayed by a Tribunal by up to 2 months, effective from the beginning of the next rent period following, if undue hardship were shown by the tenant. It does not affect the market rent level itself. Allowance for hardship from this increase in the rent was not sought by the tenant in their application. No change to the effective date of the new rent is made by the Tribunal.

Decision and effective start date

21 The new rent of £1700 pcm is to be levied from and including the start date of the next rent period falling due, after 23 September 2026, which is 30 September 2026.

22 **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 23 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).