FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	**LON/00AN/MRA/2026/0383**
Property	**:**	**Flat A, 3 Inglethorpe Street London SW6 6NS**
Applicant	**:**	**Lewis Heather Alesandra Zehnder (Tenants)**
Representative	**:**	**None**
Respondent	**:**	**Anne Bejul (Landlord)**
Representative	**:**	**Marsh & Parsons (Agent)**
Date of Application	**:**	**24 August 2026**
Type of Application	**:**	**Determination of a Market Rent sections 13 &14 Housing Act 1988**
Tribunal Members	**:**	**N. Martindale FRICS A. Onigbode**
Date of Decision	**:**	**2 November 2026**
Rent Determined	**:**	**£4000 per calendar month**
Date of new rent start	**:**	**27 November 2026**

REASONS FOR DECISION

Background

1 A landlord's notice FORM 4A, dated 17 June 2026, was served under Section 13(2) Housing Act 1988 proposing a new rent of £4500 per calendar month in replacing a passing rent of £4000 pcm, with effect from 27 August 2026.

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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. Landlords floor coverings and white goods assumed.

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 the right hand of a pair of former houses built around 1890. The former house/ Building has since been extended into a second floor in the former roof space and the whole subdivided into 2 parts, the ground floor and above it, the Property on first and second floors accessed from a shared ground floor hallway entrance, across a small front yard from the public road.

10 The Building is in an established residential estate dating from the late Victorian period, many houses since subdivided and extended as here in LB Hammersmith and Fulham. (Google Streetview July 2025). There are on street parking restrictions and no off street parking at the Property. The Property extends to some 76m2 the tenant states. The landlord finds the gross floor area of the Property to be 124m2 less the 8m2 where ceiling height is below 1.5m, netting out at 116m2 GIA. The accommodation is 3 bedrooms, living room/ kitchen bathroom/wc. There is a shared front yard.

11 The Building is of traditional brick rendered and painted at all levels in good condition, in external appearance. The main roof over is a simple double pitched tiled roof with a dormer bonnet to the front. Window glass is double glazed in plastic frames. Gas fired central space and water heating is assumed.

Evidence

12 The Tribunal received completed Form MR1 on 24 August 2026 with the landlord notice in Form 4a. Later the reply Form MR2 came from the landlord both providing some background to the Property and the letting. The Tribunal is grateful for such information as was provided by one or both of the parties. There was no hearing.

Tenant

13 The tenant did not contest the form or content of the landlord's S.13 Notice but, did contest the new rent. They considered that whilst the gross internal floor area might be some 116m2, much of it was circulation space and there was only about 75m2 that was useable. They felt that the rent should remain at £4000 pcm. They cited around 9No. examples of similar properties let or to let nearby in support.

14 The late Victorian converted flats comparables provided included: 1. Queensmill Rd SW6, 3 bed, 2 bath, to let £3500 pcm. 2. Queensmill Rd SW6, 3 bed, 1 bath, to let £3495 pcm. 3. Niton St SW6, 3 bed, 2 bath, to let £3800 pcm. 4. Niton St. SW6, 3 bed, 2 bath to let £4000 pcm. 5. Lillie Rd SW6, 4 bed, 2 bath, to let £4250 pcm. 6. Niton St. SW6, 3 bed, 1 bath, to let £3750 pcm. 7. Wardo Ave. 4 bed 2 bath, to let £4250 pcm. 8 Ackmar Rd 3 bed, 2 bath, to let £4300 pcm.

Landlord

15 The landlord disputed the tenant's account of the overall and useable floor areas, showing that it was well over 100m2. The landlord placed importance on comparables in: 1. Ladbrooke Terrace, a flat of 3 bedrooms, 2 bathrooms, at £4,500 pcm. 2. Penrose Mews a flat 3 bedrooms, 3 bathrooms, roof terrace, in a gated development at £4500 pcm. 3. Dawes Road, a flat of 4 bedrooms, 2 bathrooms, at £4750 pcm.

Law

16 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

17 From the Tribunal's own general knowledge of market rent levels in LB Hammersmith and Fulham for a Property of this type prices ranged between £3750 to £4500 pcm, it determines that the subject Property would let on normal Assured Periodic Tenancy (APT) terms, for £4250 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 in the Property.

18 The Tribunal found that there were no particular defects or shortcomings at the Property that could justify an end allowance from this starting figure. The Tribunal therefore determines the new market rent at £4250 pcm. However the Tribunal is capped at the figure in the landlord's notice of £4000 pcm. The new rent is therefore £4000 pcm.

Undue Hardship

19 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 and supporting details were provided to show "undue" hardship and thus any delay to the start date. No change to the effective date of the new rent is made by the Tribunal.

Decision and effective start date

20 The new rent of £4000 pcm is to be levied from and including the start date of the next rent period falling due, which is 27 November 2026.

21 **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 2 November 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).