	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**LON/00BE/MRA/2026/0060**
Property	**Top Flat, 30 The Gardens, London, SE22 9QF**
Tenant	**Paul Tonkin**
Tenant's Representative	**N/A**
Landlord	**GRIP UK Property Investments Limited**
Landlord's Address	**Citygate, St. James' Boulevard, Newcastle upon Tyne, NE1 4JE**
Landlord's Representative	**Grainger Plc**
Date of Application	**21 June 2026**
Type of Application	**Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Ms S Beckwith MRICS** **Ms O Awotesu**
Date of Decision	**4 November 2026**
Rent Determined	**£1,475 per calendar month**
Date of Valuation	**1 October 2026**
Date the new rent takes effect	**1 December 2026**

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REASONS FOR THE DECISION

Background

1. On 4 June 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £1,551 per calendar month (pcm) in place of the existing rent of £1,450 pcm to take effect from 1 October 2026.

2. On 21 June 2026, under Section 14 (A3) of the Housing Act 1988, the Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of an open-market rent.

3. No tenancy agreement was provided. The Tenant confirmed he moved to the property on 2 April 1990 and has never had a written tenancy agreement. A rent book was provided confirming rent was payable monthly.

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 (other than carpets and curtain and white goods specified below) and the costs relating to the same.

5. N/A

Liability for Council Tax

6. 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.

7. N/A

Hearing

8. Neither party requested an oral hearing. The Tribunal has considered this case on the basis of the papers provided by the parties and its own knowledge and specialist expertise.

The Property

9. The Tenant provided photographs and a floor plan.

10. The Property is a second floor flat in a converted house, offering the following accommodation:

    Property: a combined kitchen and living room, one double bedroom and a bathroom.

    The Property benefits from gas central heating and double-glazed windows. The Landlord provided the floor and window coverings and white goods. The property was let unfurnished.

    The Property is situated in East Dulwich in south London. East Dulwich train station is approximately three quarters of a mile to the northeast.

Evidence

11. The Tenant completed the tribunal's MR1 Application form. No reply was received from the Landlord.

The Tenant

12. The Tenant made the following comments:

    a) The Tenant confirmed that they had provided a fitted wardrobe and shelving.
    b) There are nesting pigeons in the roof area next to the bedroom, which cause disturbance especially in the early mornings and he has complained about this issue for nine years.
    c) There are damp patches in the bedroom, which have been present for two years. There has not been mould associated with the damp patches.
    d) The ceilings are low, which would restrict who the flat could be let to.

13. The Tenant did not provide comparable rental evidence.

14. The Tenant confirmed their opinion that the market rent is £1,243.20 pcm.

Determination and Valuation

15. Under section 14(1) of the Housing Act 1988 (as amended), the Tribunal is required to determine the rent at which the Property might reasonably be

expected to let in the open market by a willing Landlord at the beginning of the new period specified in the Landlord's notice. Relevant Tenant improvements or failure of the Tenant to comply with the terms of the tenancy are to be disregarded. Historic issues relating to the tenancy or the personal circumstances of the Landlord are not taken into account. The personal circumstances of the Tenant are only considered if an application for hardship has been made.

16. Relying on its own expertise and general knowledge of rental values in the area, the Tribunal considers that the market rent of the subject Property in good and tenantable condition would be in the order of £1,525 pcm. This is the rent we would expect the property to let for in the open market at the valuation date and if it was in the same general condition as the comparable properties.

17. The Tribunal has taken into account the configuration and specification of the Property in arriving at the level of rent achievable in the open market set out above and therefore makes no further adjustments in relation to ceiling heights. The Tribunal finds that no evidence of a damp issue that would affect rental value has been provided.

18. The Tribunal has made an adjustment in relation to the ongoing issue with pigeons.

19. The full valuation is shown below:

Starting Rent	£1,525 pcm
Less	
Pigeon disturbance	£50
Open-Market Rent	**£1,475 pcm**

Undue hardship

20. The new rent takes effect from the date which is the beginning of the first new period of the tenancy which begins on or after the date of the determination 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 two months after it makes its determination.

21. The Tenant has asked the Tribunal to fix a later starting date in this case. The Tenant says they will be caused undue hardship because they are in receipt of both housing benefit and discretionary housing benefit. The Tenant provided confirmation of income and savings and the discretionary housing payment.

22. The Landlord did not respond to the Tenant's application for postponement due to hardship.

23. As a result of our decision the rent will increase by £25 per month. On the basis of the evidence supplied by the Tenant, the Tribunal considers that for the increase to take effect from the date the Tribunal makes its determination may cause undue hardship, but the rent increase will already not be effective until a date almost one month in the future. We accordingly set the starting date for the new rent as 1 December 2026.

Decision

24. The Tribunal determines the new rent amount at £1,475 per calendar month with effect from 1 December 2026 as this is lower than the proposed rent of £1,551 per calendar month.

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 after 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.