	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/00AJ/MNR/2026/0214
Property	34 Ash Grove, Ealing, London, W5 4AX
Tenant	Anna Smolkowska
Tenant's Representative	N/A
Landlord	Magdalena Gargul
Landlord's Address	9A Temple Road, Ealing, London, W5 4SL
Landlord's Representative	N/A
Date of Application	8 April 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Ms S Beckwith MRICS Mr W Gibbs JP
Date of Decision	6 November 2026
Rent Determined	£1,600 per calendar month
Date the new rent takes effect	17 April 2026

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REASONS FOR THE DECISION

Background

1. On 17 February 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,600 per calendar month (pcm) in place of the existing rent of £1,480 pcm to take effect from 17 April 2026.

2. On 8 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 assured tenancy commenced on 17 September 2018 for a term of two years. The rental period is 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

Inspection/Hearing

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

The Property

9. The Tribunal carried out an inspection of the Property on 4 November 2026 in the presence of the Landlord and her handyman and a representative of the Tenant, who was unable to be present.

10. The Property is a ground floor flat in a two storey building, offering the following accommodation:

    Property: two double bedrooms, a living room, kitchen, bathroom and separate WC.

    Outside: a garden

    The Property benefits from double glazed windows and gas central heating.

    The Property is situated in Ealing in west London. South Ealing underground station is approximately half a mile to the west. Ealing town centre is around one mile to the north.

Evidence

11. The parties completed the relevant Rents 1 (tenant), Rents 1A (landlord) and Rents 1B (tenant's reply) forms.

The Tenant

12. The Tenant made the following comments:

    a) They have painted the walls when damp patches appear, replaced wall paper and painted wooden elements of the Property including the doors and skirting boards. The Landlord has not undertaken any decoration since 2015.
    b) The Property is in "poor sub-standard condition". The Landlord has been made aware of this over many years, but little remediation works have been undertaken. Specifically, the Property suffers from subsidence and cracks are increasing each month.
    c) She has never been provided with an EICR by the Landlord. She commissioned one herself, as she was receiving minor electrical shocks and there were issues of shorting. Photographs of a report were provided, but it was not legible. Some remedial works were undertaken, but the Property has not been re-tested.
    d) There is an ongoing problem with rats.

13. The Tenant did not provide any comparable evidence, but commented that all of the comparables provided are in good condition with modern fittings and a good standard of decoration.

The Landlord

14. The Landlord commented as follows:
    a) They have carried out ongoing maintenance and improvement works throughout the tenancy, including internal redecoration, repairs to walls and ceilings, replacement of pipework and general remedial works to address wear and tear.
    b) The concerns with the electrical installations have been addressed, including replacing sockets.
    c) External structural concerns are being progressed with the Local Authority. Ealing Council is the freeholder of the Property and is responsible for external and structural repairs. This has been ongoing since at least 2020.

15. The following comparables were provided by the Landlord:

    a) Chestnut Grove – a furnished two bedroom ground floor flat with garden on the market for £1,750 pcm.
    b) South Ealing Road – a part-furnished two bedroom flat on the market for £1,950 pcm.
    c) Little Ealing Lane – a two bedroom flat on the market for £2,500 pcm.
    d) Ealing Park Gardens – a furnished two bedroom flat, with additional study/box room on the market for £2,050 pcm.
    e) Relton Court – a furnished two bedroom flat on the market for £2,000 pcm.

Determination and Valuation

16. There are significant structural issues with the Property, which have caused cracks in the walls. These were observed by the Tribunal on inspection and are particularly bad in the living room where the windows are also coming away from the walls. These issues have been apparent since 2020. The Landlord has been chasing the freeholder to resolve the problem and the freeholder is working to find a solution but has advised that it will still take some time. The Tribunal finds that whilst the Property remains habitable, a tenant in the market would be aware of this issue and the likely disruption that future works to the building would inevitably cause and this would impact the amount of rent that they would be willing to pay.

17. The Tenant relied on undated photographs to show the lack of works undertaken by the Landlord. No evidence of what issues had been reported to the Landlord and when was provided.

18. The Landlord also relied on undated photographs to demonstrate that they had undertaken works. No written confirmation of what works had been undertaken and when was provided. From comparison of the photographs to the state of the Property on inspection, it appeared that new radiators, hallway wall replastering, installation of an extractor fan in the kitchen and changing the strip light in the kitchen to spotlighting with associated replastering had taken place.

19. On inspection the Tribunal observed unfinished walls in the hallway and kitchen and poor decorative condition of the wall in the WC. The decorative condition of the rest of the Property has been impacted by the structural cracks.

20. From the evidence provided by the parties, it is not clear that all of the electrics in the Property are in proper working order. The Landlord has stated they have undertaken works, but has not provided a satisfactory EICR.

21. The Tribunal found no evidence of mould on inspection.

22. The Tenant did not provide any evidence of a rat infestation, therefore the Tribunal has not made any adjustment for this issue.

23. Relying on its 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 modernised and in good order would be in the order of £2,000 pcm. This is the rent we would expect the property to let for in the open market if it was in the same general condition as the comparable properties including having white goods provided by the landlord.

24. From this level of rent, the Tribunal has made adjustments in relation to the following:

    a) The structural issues and likely future disruption from remedial works.
    b) The poor decorative condition of the Property.
    c) The uncertain safety standards of the electrics.

25. The full valuation is shown below:

			Per calendar month
Starting Rent			£2,000
Less			
Structural issues/cracks	)		
Poor decorative condition	)	approx. 20%	£400
Uncertainty over electrical safety	)		
Market Rent			£1,600

Decision

26. Therefore, the Tribunal determines the market rent at £1,600 per calendar month with effect from 17 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.