	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**LON/00AW/MRA/2026/0071**
Property	**Flat 3, 47 Linden Gardens, London W2 4HQ**
Tenants	**Victor Hassen Guillaume Allard** **Daniela Edith Riu Shou**
Landlord	**Marina Ziff**
Landlord's Address	**13b Stratford Road, London**
Landlord's Representative	**Mountgrange Heritage Ltd**
Date of Application	**28th June 2026**
Type of Application	**Determination of a Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Judge Nicol** **Mrs A Kelly MRICS**
Date of Decision	**10th November 2026**
Rent Determined	**£4,500**
Date the new rent takes effect	**18th November 2026**

REASONS FOR THE DECISION

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Background

1. On 17th June 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £4,766.66 per calendar month (pcm) in place of the existing rent of £ 4,524 pcm to take effect from 18th August 2026.

2. On 28th June 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 18th August 2023 for a term of 36 months. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant.

4. As per sections 9A to 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. None.

Liability for Council Tax

6. The Tenants are 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. None

Hearing

8. A hearing was held on 10th November 2026 at 1 pm by video, attended by one of the Tenants, Ms Riu, and by Mr. French on behalf of the Landlord. The Tribunal has considered this case on the basis of an inspection, the hearing, 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 10th November 2026 in the presence of the Tenants. The Landlord was notified of the inspection but did not attend.

10. The Property is a flat, offering the following accommodation: one bedroom, a reception room, a shower, a toilet and a kitchen. The kitchen occupies the corridor leading from the front entrance door. The toilet is located unusually between the bedroom, the shower, and the kitchen – there is a sliding door from

the toilet to each of those rooms. When the toilet is in use it is impossible for anyone to pass between the bedroom, the shower, and the kitchen.

11. There is a separate room (with its own toilet) within the tenancy located across the communal landing and down to a mezzanine level – the Landlord regards this as a second bedroom because a previous tenant used it that way. It has no fixed source of heating. Facing roughly northwest, it would not be expected to get significant amounts of sunshine. The outside door and the two windows are currently loose-fitting and any seals have deteriorated, meaning that they will let in significant drafts and the room would normally be cold.

12. There are also two terrace areas, one outside the reception room and one outside the separate room.

Evidence

13. Both the Tenants and the Landlord provided written submissions.

The Tenant

14. The Tenants submitted that the separate room should not be regarded as a second bedroom due to its unusual location outside the main body of the flat and the fact that it will normally be cold due to the lack of heating or insulation. They provided links to Zoopla searches for asking rents in the locality.

The Landlord

15. The Landlord also provided links for comparable properties but some of them no longer worked and they were also only for asking prices. Their approach was to treat this property as a two-bedroom flat.

Determination and Valuation

16. The Tribunal found both parties' evidence of comparable lettings unhelpful. They provided no evidence of any achieved rents and even the Zoopla searches they provided covered a range of one- and two-bedroom properties over a wide area.

17. Relying on its own expert, general knowledge of rental values in the area, the Tribunal considers that the market rental of the subject Property would be in the order of £4,500 pcm.

18. From this level of rent, the Tribunal sought to make adjustments. The unusual layout of the main body of the flat is something which would clearly put off some prospective renters compared to other properties with a more common layout. On the other hand, whatever the deficiencies of the separate room, it is an additional amenity. It is currently used for storage, which is a precious commodity in central London. Having said that, given how cold it is, it is not worth a lot more. Its terrace does not add significantly given that there is already another terrace, albeit smaller, outside the main reception room. In the Tribunal's opinion, the negative effect of the deficiencies of the layout match the positive effect of the additional amenity from the separate room. Therefore, the

Tribunal would neither add nor subtract anything from the aforementioned market rent to take account of these factors.

Undue hardship

19. The new rent takes effect from the next rental period unless that would cause undue hardship to the Tenant. In cases of undue hardship, the Tribunal has a discretion to fix a starting date up to two months later. The Tenants did not claim they would suffer any undue hardship.

Decision

20. Therefore, the Tribunal determines the market rent at £4,500 per calendar month with effect from 18th November 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.