	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/00AW/MRA/2026/0105
Property	Flat 9, 143-145 Kensington High Street, London W8 6SU
Tenant	Mr Ramzi Mallat.
Tenant's Representative	None, in person.
Landlord	BH Kensington Limited.
Landlord's Address	Landmark Management Limited No 11, 250-252 Elgin Avenue, London W9 1JD.
Landlord's Representative	Landmark Management Limited Ms. Helen Davies, of Messila Residential signed the Notice as Landlord's Agent and attended the hearing.
Date of Application	13 July 2026.
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Ms. A. Hamilton-Farey. Mr. M. Lynch.
Date of Decision	2 November 2026.
Rent Determined	£3,150.00 per calendar month.

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Date of Valuation	4 November 2026.
Date the new rent takes effect	4 November 2026.

REASONS FOR THE DECISION

Background

1. On 2 June 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £3,466.66 per calendar month(pcm) in place of the existing rent of £3358.33 pcm to take effect from 4 August 2026

2. On 13 July 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. The tenancy commenced on 4 August 2023. 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. Double bed and mattress, coffee table, sofa, dining table and five chairs, lounge chair, ottoman, desk, chair, microwave, kettle, toaster and white goods.

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. None.

Hearing

8. A hearing was held on 4 November 2026 at 10:00am by video platform. The Tribunal has considered this case based on the evidence presented at the hearing, the papers provided by the parties and its own knowledge and specialist expertise.

The Property:

9. The Tenant requested an inspection. However this was refused by a decision of a Legal Officer on 17 August 2026, but granted the Video hearing.

10. The Property is a fifth-floor flat forming part of a modern five storey development, offering the following accommodation:

    Property: One bedroom, two bathrooms, open-plan kitchen/living room (approximately 61 sq. m/657 sq. ft); it has roof lights to the living room, bathroom and bedroom, but only those to the bathroom and bedroom open. It is reached via a short staircase from the lift that stops on the fourth floor of the building. There is no outside space, such as a balcony, and there is no outside space at ground floor level. Access to the lift is via a side entrance adjacent to the bin store area. The property does not have double glazing, but benefits from an air-conditioning heating/cooling system.
    Photographs were supplied by the tenant to demonstrate the condition of the flat and its utilities, as well as the entrance, adjacent to the bin stores.

Evidence:

11. The parties completed the relevant MR1 (tenant), MR2 (landlord) and MR3 (tenant's reply).

The Tenant

12. The Tenant made the following comments:

    a) That the flat was not accessed via a lift to the fifth floor, and that the lift stopped at the fourth floor, with a staircase to his flat. His flat was the only one on the fifth floor.
    b) A room had been converted into a cleaners' cupboard on his floor, and the daily cleaning activities were very disruptive, and that when he had signed the tenancy this cupboard had not existed, but had been converted by the landlord, following the remainder of the flats in the building being short-term lets/AirBnB lettings, that required regular cleaning, linen changes etc.

c) Only two of the skylights in his flat were openable, and those in the living area were shut closed, without any form of blinds of curtains being provided. He said that in the summer he had tried to use cardboard to exclude the heat.

d) Cracks had appeared in the roof around the skylight caused, he said by the excess heat.

e) Although two small extractors had been fitted by the landlord, these were insufficient and in the very high heat of the summer, the flat reached uncomfortable levels of heat, being 5-6° above the outside temperature, with trapped heat and no ventilation.

f) He said that his flat had no street views, which enhanced some of the comparables relied on.

g) He also said that the comparable properties had entrances onto Kensington High Street, or onto a main street, but that his block was accessed via an alleyway which housed the rubbish bins.

h) He thought that his rent had been inflated previously and had increased year-on-year, and had not taken account of market levels, or the quality of the property.

i) He provided evidence of comparable properties on which he relied to support his claim that the rent proposed was too high, and that it should be reduced to £3,100.00 per calendar month.

j) He relied on the following comparables to support his claim:

   a. Kensington High Street – a two-bedroom first-floor flat, marketed at £3,250 pcm with similar utilities and layout, but with superior fittings, and a concierge service.

   b. Troy Court, which he said had street views, a lift reaching every floor, with separate living room, far superior fittings and higher specification. Advertised at £3,500 pcm (607 sq. ft).

   c. Young Street, Advertised at £3,900 pcm, 678 sq. ft)considerably larger than his flat, with higher specification and a street view.

   d. Iverna Court – two flats were presented to the Tribunal, one in the lower ground which was larger than the subject and not really comparable. The second was a similar size to his flat, advertised at £3,100 pcm but had a separate study. He considered this to be the most comparable to his. This property was also one of the Landlord's comparables.

   e. Other comparables were provided to support his claim that his rent was too high.

The Landlord

13. Ms. Davies on behalf of the Landlord said that she was aware of the problems with the air conditioning, which she confirmed worked, but was not powerful enough to cool the flat in very hot weather. She said that the machinery was on

the roof of the building in direct sunlight and therefore became very hot. She said that it was not working properly.

14. She confirmed that Mr. Mallat was the last tenant in the building, and that the landlord had let the remainder as short-term lets/AirBnB. She confirmed that she was not involved in those lettings and only managed the subject flat.
15. She said that the rent for the flat had been calculated at £800 per week and that that was a reasonable sum.
16. In her opinion the property in Young Street was the most comparable, it was let mostly as company lets/short-term lets and did not have a concierge, but was advertised at £3,900.00, and was larger than the subject at 678 sq. ft
17. She also said that the flat in Troy Court had been advertised at £3,500 even though it was smaller than the subject at 607 sq. ft.
18. She suggested that the evidence supplied supported the Landlord's claim for the rent on the Notice of Increase.

Determination and Valuation

19. 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. No such application has been made.

20. Relying on its own expertise and general knowledge of rental values in the area, and the comparables provided by parties the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £3,350 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 including having similar furniture provided by the landlord.

21. We also take into consideration that long-term tenants in this area would expect properties to be of a high specification, with services and probably a concierge service. Although the subject appears to be in good order, there are cracks to the ceilings, possibly caused by heat build-up, there are no services, and the letting of the remainder of the block on short-term lets/AirBnB would have a detrimental effect on residents.

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

a) Problems with heating/cooling/AirBnB -5%
b) Damage to plasterwork -1%, which the landlord would have to repair and redecorate, if the property were to be re-let.

The full valuation is shown below:

Starting Rent			£3,350.00 pcm
Less			
a)	Items given under a) above	£167.50	
b)	Items given under b) above	£ 33.50	
		£201.00	
Open-Market Rent			£3,149.00 pcm
The tribunal rounds this to:			£3,150.00 pcm

Decision

23. The Tribunal determines the new rent amount at £3,150.00 per calendar month with effect from 4 November 2026 which is the beginning of the first new period of the tenancy which begins on or after the date of the determination.

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.