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|  | **FIRST - TIER TRIBUNAL**<br>**PROPERTY CHAMBER**<br>**(RESIDENTIAL PROPERTY)** |
| **Case Reference** | **LON/00BA/MRA/2026/0402.** |
| **Property** | **23 Rural Way, London SW16. 6PF.** |
| **Tenant** | **Ms. Valerie Akwei.** |
| **Tenant's Representative** | **None, in person.** |
| **Landlord** | **Mr. Rajendrakumar Patel.** |
| **Landlord's Address** | **26 Copse Hill, Purley, Surrey.**<br>**CR8 4LH.** |
| **Landlord's Representative** | **None, in person.** |
| **Date of Application** | **28 August 2026.** |
| **Type of Application** | **Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988** |
| **Tribunal Members** | **Ms. A. Hamilton-Farey.**<br>**Mr. M. Lynch.** |
| **Date of Decision** | **4 November 2026.** |
| **Rent Determined** | **£3,100.00 per calendar month.** |
| **Date of Valuation** | **4 November 2026.** |
| **Date the new rent takes effect** | **30 November 2026.** |

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## REASONS FOR THE DECISION

### Background

1. On **12 June 2026** the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of **£3,100.00** per calendar month(pcm) in place of the existing rent of **£2,901.00** pcm to take effect from **30 August 2026.**

2. On **28 August 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 replacement tenancy commenced on **30 July 2025.** The original tenancy having commenced on **3 November 2020.** 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. Carpets to stairs.

### 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. Neither party requested an oral hearing and the Tribunal determined the rent on the submissions made by the parties.

### The Property

9. The Tribunal did not inspect the property.

10. The Property is a four-bedroom semi-detached house, comprising four bedrooms, one en-suite, living room, kitchen, bathroom, separate w.c. with double glazing, central heating and garden. Carpets were provided to the stairs, with laminate flooring throughout.

**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: that she considered the rent should be **£2,900** per calendar month, and that she was unable to afford the increase which would take her rent to £900 in excess of the Local Housing Allowance, and the benefits that were payable to her.

13. The Tenant did not provide any comparable evidence on which she wished to rely.

**The Landlord**

14. The Landlord made the following comments, that the suggested rent was below market levels and that a realistic rent for a similar property within a 0.5 mile radius, would be in the region of £3,200 to £4,400 per calendar month. He said that setting the rent at £3,100 was fair, realistic and conservative relative to local market values.

15. The Landlord relied on the following comparables:

    a) Ashbourne Road, CR4 - 4 bed terraced house advertised on Rightmove at £4,000.

    b) Park Avenue, CR4 – 4 bed terraced house advertised on Zoopla at £4,000. This property had one bathroom,

    c) Woodland Way, CR4 – 4 bed terraced house, advertised on Zoopla/Rightmove at £3,500.

d) Edenvale Road, CR4 – 4 bed terrace house, requiring modernisation, advertised on Zoopla/on the Market/Rightmove at £3,200.

e) Other properties were put forward, but some of these had 3 or 4 bathrooms, and we do not consider them to be close comparables to the subject property.

**Determination and Valuation**

16. 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.

17. All of the comparable rents provided by the landlord as asking rents for terraced houses, and the Tribunal has given them less weight than it would give to achieved lettings.

18. The comparables provided by the landlord included:

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| Ashbourne Road | £4,000 | Terraced 2bath |
| Seely Road | £3,950 | End of Terrace 2 bath. |
| Park Avenue | £4,000 | Terraced 1 bath |
| Woodland Way | £3,500 | Terraced 1 bath |
| Woodland Way | £4,000 | Terraced 4 baths |
| Edenvale Road | £3,200 | Terraced, 1 bath requires modernisation. |

19. From the above and relying on our own expertise and general knowledge of rental values in the area, the Tribunal finds that the comparables support a market rent of £4,000.00. We have discounted the property at Edenvale Road due to its lack of modernisation as we have the second property at Woodland Way that has four bathrooms. This is the rent that 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 carpet provided by the landlord.

20. From this level of rent, the Tribunal has made an adjustment* in relation to the following:

a) Lack of recent modernisation – 5%

The full valuation is shown below:

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| Starting Rent | | £4,000.00 pcm |
| *Less* | | |
| a) Items given under a) above | £200.00 | |
| | | £(200.00) |
| **Open-Market Rent** | | **£**3,800.00 **pcm** |

**Undue hardship**

21. The Tenant has said that the new rent would be unaffordable, she said that when the property was let to her, it was let at the Local Housing Allowance rate, and that landlords were given an incentive, but that incentive no longer applies. She said that the increase of £199.99 per month is unaffordable because she is reliant on benefits and is a carer.

22. The threshold for demonstrating undue hardship is high. The Tenant has produced no evidence to support her claim of hardship. On the basis of the evidence provided, the Tribunal considers that for the increase to take effect from the date the Tribunal makes its determination would not cause undue hardship and does not fix a later starting date.

**Decision**

23. The Tribunal determines the new rent at the amount proposed by the Landlord of **£3,100.00** per calendar month as this is lower than the open-market rent of **£3,800.00** determined by the Tribunal, with effect from **30 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.