	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**LON/00BJ/MNR/2026/0179**
Property	**Flat C (Second Floor) 126 Trinity Road, Tooting, London SW17 7HS**
Tenant	**Ewan Natty**
Tenant's Representative	**None**
Landlord	**Wandle Housing Association**
Landlord's Address	**230 Blackfriars, 2nd Floor, London, SE1 8NW.**
Landlord's Representative	**None**
Date of Application	**1 April 2026**
Type of Application	**Determination of a Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Mr D Jagger MRICS** **Mr W Gibbs**
Date of Decision	**11 November 2026**
Rent Determined	**£153.45 per calendar week**
Date the new rent takes effect	**6 April 2026**

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REASONS FOR THE DECISION

Background

1. On 3 March 2026, the Landlord served a notice in the form of a letter in the bundle of evidence under Section 13(2) of the Housing Act 1988 which proposed a new rent of £134.36 per calendar week in place of the existing rent of £140 per calendar week set in a Tribunal decision dated 25 July 2024. to take effect from 6 April 2026. In addition, there is a Fixed Service Charge in the sum of £19.09, being a total of £153.45 per week.

2. Initially, on the 1 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 tenancy is an assured shorthold tenancy granted to the Tenant by an agreement which commenced on the 22 August 2011 at a rent of £108.57 inclusive of service charge. The Tribunal were presented with a copy of the agreement. The rental period is weekly, and this is now an assured periodic agreement.

4. On the 17 September 2026 the Tribunal made a determination in this matter and decided it did not have jurisdiction to consider the case because the tenant filed this challenge to the Tribunal well after the likely start date in the Form 4 if it can be shown to exist.

5. On the 6 October 2026 Judge Westby considered this application and Under rule 51 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 and being satisfied that it is in the interests of justice to do so, the Tribunal sets aside the decision dated 17 September 2026. The application under sections 13 and 14 of the Housing Act 1988 shall be determined afresh by a differently constituted Tribunal.

6. Paragraph 9 of that decision states "*The parties must ensure that, before the fresh determination, the Tribunal is provided with any prescribed notice of rent increase relied upon, together with any covering letter and any other documents relevant to the validity and service of that notice.*"

7. Such a notice has not been provided to the Tribunal, In this instance, the Tribunal is satisfied that it is proportionate to make a determination in this case.

Allocation of Repairs between Landlord and Tenant.

8. As per section 11 of the Landlord and Tenant Act 1985.

9. The Tenant is responsible for internal decoration and for some minor repairs.

Services Charges or furniture provided by Landlord

10. Fixed service charges are payable by the Tenant for the property at the proposed sum of £19.09 per week.

11. The property was let unfurnished.

Liability for Council Tax

12. 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.
None

13. The Tenant requested a hearing in this matter and this was agreed by the Tribunal.

14. The Tenant requested the Tribunal to carry out an inspection of the property. In a decision dated 26 May 2026 the Tribunal determined such an inspection was not proportionate.

The Hearing.

15. A Video hearing via CVP to hear the Tenant's representations in this case was held on the 11 November 2026 at 10am. The hearing was attended by the Tenant Ewan Natty. Following technical difficulties, the Tenant joined via the telephone. The Landlord did not take part in the hearing. During the hearing the Tribunal set out the issues, and it is the Tribunal's task to determine a market rent based upon the evidence provided.

The Property

16. The property is a second floor converted flat which forms part of a three storey Victorian semi-detached double fronted building with loft conversion containing three flats (A,B,C.). The building has rendered elevations under a pitched and tiled roof.

17. The accommodation comprises: living room, kitchen, bedroom, bathroom, The windows are replacement double glazed units, there is an electric central heating system and floor coverings. The Property is located in an established residential area convenient to local amenities and Tooting Bec station.

Evidence

18. The Tenant provided a written statement together with helpful photographs. The Tribunal commends the Mr Natty for the verbal and written evidence in this matter.

The Tenant.

19. At the hearing and in a written statement the Tenant made the following comments:

    a) Tenant's improvements include replacement kitchen unit, new fire door, loft insulation eaves, new flooring, bathroom furniture. The Tenant estimates the cost of these improvements is in the region of £30,000, although no invoices were provided to the Tribunal.
    b) The property does not hold any building act 1984 or building regulation reform act 2005 to date.
    c) There are no gas or electrical safety certificates. Although the Tribunal were told at hearing, there is no longer a gas supply.
    d) There are damp issues to the flat via defective roof slates.
    e) There has been maladministration on behalf of the Landlord.
    f) The Tenant is concerned there are fire safety issues to the flat.
    g) The double-glazed windows are dated and defective.
    h) The Tenant has fought for years with the Landlord to establish the correct address for the property.

The Landlord

The Landlord did not make a written statement.

Determination and Valuation

20. Section 14 of the Housing Act 1988 requires the Tribunal to determine the rent at which it considers the Property might reasonably be expected to be let on the open market by a willing landlord under an assured tenancy, on the terms of the subject tenancy other than as to rent, and disregarding the matters set out in section 14(2). Those disregards include any effect on the rent attributable to the fact that the Tenants are sitting tenants, and any increase in value attributable to a relevant improvement carried out by the Tenant.

21. The Tribunal is grateful to the Tenant for the written statement and the evidence provided.

22. Relying on its own expert, general knowledge of rental values in the West Hampstead area, the Tribunal considers that the market rental of the subject property, modernised and in good condition would be in the order of £415 per week (£1798 per month) This is the rent we would expect the property to let for in the open market in good condition including having white goods and floor coverings provided by the Landlord.

32. From this level of rent, the Tribunal has made the following adjustments in relation to the matters set out in paragraph 19 of this decision.

33. The Tribunal has considered very carefully this information and usings its own expertise considers that a deduction of £225 should be applied in order to take account of the above matters. It should be noted that this figure cannot be. a simple arithmetical calculation and is not based upon capital costs but is the Tribunal's estimate of the amount by which the rent would need to be reduced to attract a tenant.

The full valuation is shown below:

Starting Rent	£415 pw
Less	
a) Items given under a)-h) above	£225
Market rent	**£190 pw**

Decision

23. The Tribunal determines the market rent at **£153.45** per calendar week with effect from 6 April 2026 being the date of the Landlord's notice.

24. The open market rent so assessed (£190 per week) exceeds the rent of £153.45 per week proposed by the Landlord in its notice. It is often the case that market rents are in excess of those charged by social landlords, whose remit is to provide affordable housing and whose rents are calculated by reference to a percentage of market rent or an index rather than the open market. In accordance with the usual convention of social landlords, it is assumed the landlord does not seek to charge more than the rent proposed in its notice. The tribunal accordingly determines the rent under the tenancy at £153.45 per week inclusive of a fixed service charge of £19.09.

25. As a final matter The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 require Landlords in England to ensure fixed electrical installations meet national safety standards. This must include regular inspections: Landlords must have all fixed electrical installations inspected and tested by a qualified and competent person at least every 5 years. and a copy of the EICR must be supplied to the Tenant.

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.