	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**LON/00BB/MNR/2026/0128**
Property	**7 Peto Apartments , Wallis Walk E162Xy**
Tenant	**Mr Said Hassan**
Tenant's Representative	**None**
Landlord	**ERG RAW Limited**
Date of Application	**25th February 2026**
Type of Application	**Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**J A Naylor FRICS Valuer Chair** **T Leppard MRICS Sitting as a Lay Member.**
Date of Decision	**9th November 2026**
Rent Determined	**£1,700 per calendar month**
Date of Valuation	**9th November 2026**
Date the new rent takes effect	**1st December 2026**

© CROWN COPYRIGHT

REASONS FOR THE DECISION

Background

1. On 30th January 2026 the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £1,790.00 per calendar month(pcm) in place of the existing rent of £1.600.00 pcm to take effect from 1st March 2026

2. On 25th February 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 31st July 2026. 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. There are no separate service charges payable by the tenant . The coffee table and sofa which the tenant confirms were supplied by the landlord are considered insufficient to affect rental value.

6. The tenant is understood to pay for a parking space in addition to the rent and under a separate tenancy.

Liability for Council Tax

7. 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.

8. None

Hearing

9. A hearing was held on 9th November 2026 at 10 am by video platform. The Tribunal has thus considered this case on the basis of an oral hearing, the papers provided by the parties and its own knowledge and specialist expertise.

The Property (and inspection)

10. An inspection was requested by the tenant but on review this was felt to be unnecessary by the tribunal, and none was undertaken.

11. The Property is a ground floor flat forming part of a modern ten storey development, offering the following accommodation:

    Property: Lounge, bedroom, kitchen, bathroom.

    Outside: communal areas.

    The Property benefits from Heating and double glazing

    The Property is situated in a suburban location close to both transport and shopping facilities.

Evidence

12. The Tenant completed the relevant MR1 but no MR2 was received from the Landlord and there was therefore no need for an MR3 (tenant's reply).

The Tenant

13. The Tenant made the following comments:

    a) The Tenant confirmed that the current rent is £1,600 pcm . They advised that they are, in addition , paying £125 pcm for a parking space and referred to property related outgoings which they say exceed £2,087.00 per month. The tenant provides some photographs of the interior and advises that they would like both a hearing and an inspection of the property.

b) By way of comparable evidence the tenant supplied screens shots of five properties within the locality with rents ranging from £1,350.00 to £1,600.00
c) The tenant stated that the Landlords notice was served by email .

The Landlord

14. The Landlord made no submission and did not provide any comparable rental evidence.

The hearing

15. A hearing took place on the morning of 9th November 2026**.** Prior to commencement of the hearing The Tribunal was advised that by its clerk that the tenant was in attendance and in addition there were two parties Miss Patterson and Mr Burgess -Hunt both purporting to be representatives of the Landlord. No prior notification of their attendance or representation had been given to the tribunal prior to the hearing.

16. At the commencement of the Hearing the tribunal asked both Miss Patterson and Mr Burgess -Hunt precisely what form their representation might take and neither seemed to be under any formal instruction, nor did they seem to have firsthand knowledge of aspects of the case.

17. As no prior notification of their attendance had been received, as there were no witness statements from them and as the Landlord had provided no evidence on which they might comment the Tribunal advised that it would not hear directly from them, nor would they be able to ask questions of the Tenant. They remained in the hearing as observers.

18. Mr Hassan proceed to give his evidence. He began by saying that he believed that a fair rent for the property was £1,600.00. He advised the Tribunal that he first heard of the rent increase in a letter, that he then received a Notice and has tried to engage the landlord or its agents / managers to discuss this but has had no response. In particular he pointed out that the timing of the notice; circa Christmas time ,was particularly insensitive.

19. Mr Hassan was asked about his comparable evidence and he confirmed that it was representative of rents ‘ in the area ‘generally (none were within the same block as the subject property) but that he was also aware that asking rents within

his block had increased and evidence on Rightmove indicated that they were higher.

20. The Tribunal commented on the fact that the evidence presented was very limited with no real information on each of the properties. Mr Hassan said that he had been to some of the blocks but had not been in any flat and had no other information for the Tribunal.

21. Mr Hassan confirmed that the flat was a one bedroomed flat, that it was occupied by his him , his wife and two young children. He said that he was trying to move and had looked for 2 bedroomed properties at rents of between £1,700.00 and £1,800.00 per month including parking and he would move if he could but that properties at the lower end were in short supply.

22. Asked specifically if about the condition of the property Mr Hassan said that he was happy with it and that management was good.

23. On the issue of hardship Mr Hassan confirmed that he was the only one in the household in employment and the family did get housing benefit.

Determination and Valuation.

24. 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.

25. The Tribunal has little evidence to rely on in this case, nevertheless it can make judgement on the rent proposed by the landlord while taking account of the tenants submissions which indicate suggest a lower rent than that proposed and acknowledge that asking rents for the block are higher than this.

26. Relying on its own expertise and general knowledge of rental values, and the comparables provided by the Tribunal , the Tribunal considers that the market rent of the subject Property modernised and in good order would be £1,700.00

pcm. This is the rent we would expect the property to let for in the open market at the valuation date.

27. **Hardship.**

28. The bar to establish hardship is a high bar and in this case the Tribunal is not convinced that it has been met. No evidence of income or hardship has been provided and Mr Hassans own evidence was that he would move to a two bedroomed property with a parking space at a rent of £1,700.00 if he could find one .

Decision.

29. **The Tribunal determines the new rent amount at £1,700.00 per calendar month with effect from 1st December 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.