



**FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER  
(RESIDENTIAL PROPERTY)**

<b>Case Reference</b>	<b>:</b>	<b>HAV/29UM/MNR/2024/0636</b>
<b>Property</b>	<b>:</b>	<b>5 Staplehurst Road Sittingbourne Kent ME10 2NY</b>
<b>Applicant Tenants</b>	<b>:</b>	<b>Mr M Alamgir &amp; Ms T Ripa</b>
<b>Representative</b>	<b>:</b>	<b>None</b>
<b>Respondent Landlord</b>	<b>:</b>	<b>Ms Yvonne Ahiakpor</b>
<b>Representative</b>	<b>:</b>	<b>Managing Agent - Annor Properties Limited</b>
<b>Type of Application</b>	<b>:</b>	<b>Determination of a Market Rent - sections 13 &amp; 14 of the Housing Act 1988</b>
<b>Tribunal Members</b>	<b>:</b>	<b>Mr J G G Wilson MRICS FCIArb Ms C D Barton MRICS DDJ D Cowan</b>
<b>Date of Application</b>	<b>:</b>	<b>16 November 2024</b>
<b>Date of Decision</b>	<b>:</b>	<b>21 January 2025</b>

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**DECISION**

**The Tribunal determines a rent of £1,325 (One Thousand, Three Hundred and Twenty-Five Pounds) Per Calendar Month with effect from 15 January 2025.**

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## SUMMARY REASONS

### Background

1. On 28 October 2024 the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,425 per month in place of the existing rent of £1,275 per month to take effect from 15 January 2025.
2. On 16 November 2024 under Section 13(4) of the Housing Act 1988, the Tenants referred the Landlord's notice proposing a new rent to the Tribunal for determination of a market rent.

### Inspection

3. The Tribunal did not inspect the property but considered this case based on the papers provided by the parties and information freely available on the internet.

### Evidence

4. The Tribunal has considered the written submissions provided by the Tenant, Mr Alamgir, in his email to the Tribunal and copied to the Landlord's Managing Agent dated 16 November 2024. Neither the Landlord nor her Managing Agent has provided written submissions to the Tribunal. Neither party provided a Rent Appeal Statement to follow the Tribunal's Directions dated 27 November 2024.

### Determination and Valuation

5. Whereas neither party provided comparable lettings evidence for the Tribunal to consider, in his email dated 16 November 2024 Mr Alamgir says, "Given the current state of the property, I strongly believe that the proposed rent increase is not justified. After reviewing rental rates for comparable properties in the area, I feel that a fair increase would be up to **£1350 per month**, considering the unresolved issues."
6. Having considered what Mr Alamgir has said and of its own expert, general knowledge of rental values in the area, the Tribunal determines that the market rent for the property in good tenantable condition would be £1,500 (One Thousand, Five Hundred Pounds) per Calendar Month.
7. Such a tenancy would normally include white goods, carpets, curtains/blinds and associated fittings, all to be provided by the Landlord.
8. In this case the Tenant has informed the Tribunal of various items of disrepair and that the insulation is insufficient. In addition, the Tribunal notes: (1) the property is located on a bend of a comparatively busy road and close to a roundabout; (2) the amenity space is limited, typically the front garden is small; and (3) the Tenant is responsible for internal decorations (fair wear and tear excepted). Accordingly, some adjustments to the market rent are necessary.
9. The Tribunal's valuation is shown below:

Market rent in good condition (£ PCM)	£1,500
Less deductions (£ PCM) for:	
Disrepair and poor insulation	£75
Position on the road	£25
Tenant's liability for internal decorations	£50
Limited amenity space – small front garden	<u>£25</u>
	£175
Market rent (per calendar month)	£1,325

10. The Tribunal therefore decided that the rent at which the property might reasonably be expected to be let in the open market by a willing Landlord under the terms of this assured tenancy was £1,325 (One Thousand, Three Hundred and Twenty-Five Pounds) per Calendar Month.
11. The Tenants made no representation that the starting date for the new rent specified in the Landlord's notice would cause them undue hardship.
12. Accordingly, the Tribunal directs that the new rent of £1,325 per Calendar Month should take effect from 15 January 2025. This being the date specified in the Landlord's Notice proposing a new rent.

#### **APPEAL PROVISIONS**

These summary reasons are provided to give the parties an indication as to how the Tribunal made its decision. If either party wishes to appeal this decision, they should first make a request for full reasons and the details of how to appeal will be set out in the full reasons. Any request for full reasons should be made within a month. Any subsequent application for permission to appeal should be made on Form RP PTA.