



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

<b>Case Reference</b>	:	<b>CAM/00KC/MNR/2025/0644</b>
<b>Property</b>	:	<b>2 Harebell Gardens Dunstable LU5 6RR</b>
<b>Applicants</b>	:	<b>Oludamilola Akinfenwa (Tenant)</b>
<b>Representative</b>	:	<b>None</b>
<b>Respondent</b>	:	<b>Sigma PRS Investments Houghton Regis Limited (Landlord)</b>
<b>Representative</b>	:	<b>Simple Life Homes (Agent)</b>
<b>Type of Application</b>	:	<b>S.13 Housing Act 1988 Determination of a new rent</b>
<b>Tribunal</b>	:	<b>Mr N. Martindale FRICS</b>
<b>Date and venue of Meeting</b>	:	<b>3 June 2025 First Tier Tribunal (Eastern) County Court Cambridge CB1 1BA</b>
<b>Date of Decision</b>	:	<b>3 June 2025</b>

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**REASONS FOR DECISION**

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**Background**

- 1 The First Tier Tribunal received an application dated 12 March 2025, before the effective start date of the new rent sought, from tenants of the Property, regarding a notice of increase of rent served by the landlord, under S.13 of the Housing Act 1988 (the Act).
- 2 The notice dated 21 January 2025, proposed a new rent of £1775 per calendar month exclusive, with effect from and including 27 March 2025. This rent does not include other services.

- 3 The tenancy is now an assured periodic calendar monthly tenancy which originally began for a fixed 12 months term on 27 March 2024 for an initial rent of £1675 pcm. A copy was provided.
- 4 The rent payable up to and including 26 March 2025 was £1675 per calendar month.

### **Directions**

- 5 Directions, dated 3 April 2025, for the progression of the case, were issued by Legal Officer Laura Lawless. Neither party asked for a hearing.

### **Inspection**

- 6 There was no inspection. The Property is a 2 level detached house dating from around 2020 with small gardens. (Google Streetview July 2019). At this date the estate development of which the Property forms a part is only shown as just commencing.
- 7 The house is anticipated to be of traditional construction, brick fair faced and/or render walls to elevations on 2 levels. The main roof is anticipated to be double pitched. It is anticipated to be set within a street of very similar, small modern houses, mainly four bedroom but generally semi-detached rather than detached as at the Property on an estate of the same.
- 8 The Property has 4 bedrooms to the first floor with the bathroom/WC; and ground floor living room, kitchen. Central heating, with full double glazing, floor finishes and white goods are all apparently provided by the landlord.

### **Tenants' and Landlord's Representations**

- 9 The tenant provided written submissions via the Application Form, the completed standard Reply Form and a covering email of 3 April 2025. The tenant referred to three houses to let: a 4 bedroom terraced house in Houghton Regis LU5 available at £1600 pcm, and two more 4 bedroom houses, one semi detached at Dunstable £1650 pcm and an end of terrace Houghton Regis available at £1700 pcm; all within the LU5 postal district. These were reported as all being within more established built up areas with good transport links unlike the Property.
- 10 The tenant referred to a number of snagging defects that had not been dealt with (or which had developed later) by the landlord prior to letting. These included defective shower heads and defective ironmongery on doors within the Property. The tenant reported that they had dealt with them at their own expense in the foregoing year.
- 11 The respondent landlord provided a copy of the report by Ascend Moncton, of Manchester based on Rightmove data. The report was

undated but was said to be for properties ‘marketed between 17 January 2025 and 17 April 2025’ within a 1 mile radius of the Property postcode. 6No. properties were mentioned all semi-detached with rents ranging from £1775 to £1810 pcm. The report also referred to rents from 5No., 3 and 4 bedroom houses in a wider area outside of the immediate estate. Four of these ranged from £1900 pcm to £2000 pcm as let and a further home of 3 bedrooms end terrace, was available for £1800 pcm.

- 12 The Tribunal is grateful for such information as was provided by both parties in the application and in the standard Reply Forms.

### **Law**

- 13 In accordance with the terms of S.14 of the Act we are required to determine the rent at which we consider the property might reasonably be expected to let in the open market, by a willing landlord, under an assured tenancy, on the same terms as the actual tenancy; ignoring any increase in value attributable to tenant’s improvements and any decrease in value due to the tenant’s failure to comply with any terms of the tenancy. Thus the Property falls to be valued as it stands; but assuming that the Property to be in a reasonable internal decorative condition.

### **Decision**

- 14 From the Tribunal’s own general knowledge of market rent levels in Houghton Regis and Dunstable it determines that the subject Property would let on normal Assured Shorthold Tenancy (AST) terms, for £1775 per calendar month, fully fitted and in good order.
- 15 From the representations the Tribunal found that what was a very new home had not been properly snagged following completion. Whilst it appeared that the tenant had arranged and paid for these irritating but minor defects the Tribunal concluded that these could still arise for a further year of occupation and might reasonable be expected to still have to be corrected by the tenant, based on the earlier experience. Accordingly it makes a modest deduction to reflect this ongoing expectation of further minor snagging faults arising in the next 12 months, in the sum of £25 pcm The new rent will therefore be £1750 pcm with effect from 27 March 2025.
- 16 Although the landlord is not obliged to charge this rent and may charge a significantly lower rent as a result of their own choice, policy, or governmental regulation; they may not charge more than this figure.

**Chairman N Martindale FRICS**

**Date 3 June 2025**

### **Rights of appeal**

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

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 decision to the person making the application (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013).

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e., give the date, the property, and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).

## Notice of the Tribunal Decision and Register of Rents under Assured Periodic Tenancies (Section 14 Determination)

Housing Act 1988 Section 14

**Address of Premises**

2 Harebell Gardens  
Dunstable LU5 6RR

**The Tribunal members were**

Mr Neil Martindale FRICS

**Landlord**

Sigma PRS Investments Houghton Regis Ltd.

**Address**

**Tenant**

Oludamilola Akinfenwa

1. The rent is: £ 1750

**Per**

Calendar  
month

(excluding water rates and council tax  
but including any amounts in paras 3)

2. The date the decision takes effect is:

27 March 2025

\*3. The amount included for services is/is  
negligible/not applicable

nil

**Per**

\*4. Service charges are variable and are not included

5. Date assured tenancy commenced

27 March 2024

6. Length of the term or rental period

periodic calendar monthly

7. Allocation of liability for repairs

per tenancy

8. Furniture provided by landlord or superior landlord

None

**9. Description of premises**

2020's detached house on street of very similar mostly semi-detached houses. Small gardens and off road parking. Google Streetview July 2019 shows the start of the new development only. Accom. on 2 levels: first - 4 bedrooms, bathroom, ground - living room, kitchen. Modern fittings and good condition assumed, save for small snagging repairs including shower heads, loose door ironmongery, carried out by tenant in default. House is less than 5 years old. Public transport links limited.

***Chairman***

**Neil Martindale  
FRICS**

***Date of Decision***

**3 June 2025**