



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

Case Reference : **CAM/00KF/MNR/2026/0019**

Property : **14 Suffolk House
102-8 Baxter Avenue
Southend, Essex SS2 6HZ**

Applicant : **Piotr Kowalczyk (Tenant)**

Representative : **None**

Respondent : **Breflin Ltd. (Landlord)**

Representative : **Darrell Simmonds**

Type of Application : **S.13 Housing Act 1988
Determination of a new rent**

Tribunal Members : **Mr N. Martindale FRICS**

Date and venue of Meeting : **7 April 2026
First Tier Tribunal (Eastern)
County Court Cambridge CB1 1BA**

Date of Decision : **7 April 2026**

REASONS FOR DECISION

Background

- 1** The First Tier Tribunal received an application dated 31 January 2026 before the effective start date of the new rent sought, from tenant 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 2026, proposed a new rent of £1200 per calendar month from and including 17 March 2026. This rent does not include other services.
- 3 The tenancy is an assured periodic calendar monthly tenancy succeeding an earlier fixed term lease, with effect from and including 17 July 2020. A copy was provided.
- 4 The rent payable from up to and including 16 March 2026 was said to be £1000 per calendar month.

Directions

- 5 Directions, dated 24 February 2025 for the progression of the case, were issued by the Legal Officer to deal with the hearing sought.

Inspection

- 6 There was no inspection. The Property is a two bedroom, one bathroom flat with kitchen/ living room. It is on the third floor of a converted (c.2010) former 1990's purpose built office block on 4 levels of residential flats and car parking. (Google Streetview June 2024).
- 7 The building within which the Property is located is finished to brick, steel and glass/ steel finishes, gas fired central heating and double glazing. The main building has a flat roof.

Tenant Representations

- 8 The tenant provided written submissions via the new Application Form 'Rents 1B' (21.2.2026) reply to the new Landlords Form "Rents 1A". The tenant made general observations about economic prices and wages and the effects that had on the local community. The tenant had to move "north" where rents were £400-500 cheaper for the equivalent.
- 9 The tenant included some 10No. monochrome photographs of the exterior of the building and interior of the Property. They did not provide details of asking or let rental prices of similar flats locally.

Landlord's Representations

- 10 The Tribunal received the Landlords Form (16.2.2026) "Rents 1A" Reply Form completed by the landlord. There had been a 40% rise in the rent from 2020 at £850 pcm but had been over 6 years. The building has communal lift, internal cleaning to shared areas, external to windows, communal power and light and recreational area, the cost of which is included within the rent.
- 11 The landlord presented some broad conclusions of average rents for 2 bedroom flats locally over a sample of 12No. flats and found these to be some £1250 pcm. The landlord also provided 5No. basic details of

similar flats available or recently let in this part of Central Southend mainly being in other converted former office blocks or former low rise older houses, providing similar modern accommodation. Two of these had been let recently others were available.

- 12** The other flats included converted offices at: Victoria Ave. a 6th floor flat in a converted former office: A private balcony, two beds, bathroom/wc, kitchen, living room, private parking available at £1375 pcm. Station Ave., two beds, two bathroom/wc, living room/ kitchen, private parking available at £1200 pcm. Baxter Ave, another converted former office block (near the subject) – two beds, two bathrooms, parking, balcony available at £1500 pcm.
- 13** In addition the landlord referred to older converted late C19th terraced houses including in: Southchurch Road, two beds, bathroom/wc, living room, kitchen, shared garden, off street parking available at £1200 pcm. And in Christchurch Road, (but no further details).
- 14** The Tribunal is grateful for such information as was provided by both parties in the Forms.

Law

- 15** 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

- 16** From the Tribunal's own general knowledge of market rent levels sought and obtained in and around Southend, it determines that the Property would let on normal Assured Shorthold Tenancy (AST) terms, for £1,200 per calendar month including any fixed service charge fully fitted and in good order.
- 17** From the representations it found that the Property did not suffer from any significant defects sufficient to affect the market rent. The Tribunal therefore leaves the base rent unchanged. The new rent will be therefore £1,200 pcm.
- 18** 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 from the effective date, 23 January 2026.

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).