

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	CAM/00KG/MNR/2025/0794
Property	2 West Lodge, Dell Road, Grays, RM17 5JT
Tenant	S Heapy
Tenant's Representative	N/A
Landlord	D Bull
Landlord's Address	5 Dell Road, RM17 5LE
Landlord's Representative	N/A
Date of Application	11 November 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Peter Roberts FRICS CEnv
Date of Decision	11 April 2026
Rent Determined	£750 pcm
Date the new rent takes effect	26 November 2025

REASONS FOR THE DECISION

Background

1. On 14 October 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £855 per calendar month (pcm) in place of the existing rent of £705 pcm to take effect from 26 November 2025.
2. On 11 November 2025, 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 assured tenancy commenced on 26 May 2018 for a term of six months. The rental period is monthly, and the initial rent was £540 pcm. Subsequent rent increases have been agreed voluntarily between the Parties without reliance on the service of statutory notices.

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. Not applicable.

Liability for Council Tax

6. 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.

7. None

Inspection/Hearing

8. A hearing was held on 19 January 2026 by video platform.

The Property

9. The Tribunal has relied upon the oral and written submissions of the Parties which included a large bundle of photographs.
10. The Property comprises a ground floor studio flat converted from former garage accommodation within a three-storey block split into living, sleeping and kitchen areas with a separate bathroom. There is a private car parking area at the front and a small garden area to the rear.
11. It is apparent from the evidence available to the Tribunal that the Property requires redecoration and repair to be in a condition fully commensurate with market expectations. In this regard, the Council Housing Standards Officer identified various issues including:
 - a) Blown double glazing
 - b) Lack of heating in the kitchen area
 - c) Mould requiring treatment
 - d) Potential leak from the bathroom
 - e) Repair of the extractor fan
 - f) Lack of security through the front door and windows
 - g) Defective sealant and bubbling of surfaces on fridge and oven doors
 - h) Loose bath tiles
 - i) Lack of plugs to kitchen

Evidence

12. Both the Tenant and the Landlord returned the Tribunal's Reply forms.

The Tenant.

13. The Tenant made a number of comments in respect of the condition of the Property, relations with the Landlord and comparability of rental evidence.
14. The Tenant referred to the advertising of an unfurnished studio flat for £800 pcm inclusive of Council Tax, water and internet bills, a furnished studio flat at £845 pcm inclusive of bills and a converted furnished studio flat at £772.89 pcm exclusive of bills.
15. The Tenant also referred to a "bricks and logic" estimate of £671 per month.

The Landlord

16. The Landlord referred within their written representations to their relationship with the Tenant and the informal nature of the tenancy including previous rent increases as agreed by the Parties.
17. The Landlord commented in respect of the works identified by the Council that:

“All the works that were identified by the local Council in July this year have been dealt with except for the windows and the electrics. The tenant would not allow access for these works to be completed. Please note I had no idea there were any issues before receiving notice from the Council. No repairs had ever been done by the tenant previously at their expense”
18. With regard to the Tenant’s rental evidence the Landlord commented that: *“The properties identified by the tenant are shared housing. Hence why the bills re included within the rental payment and are for single persons only. So, therefore not cheaper for the tenant.”*
19. The following evidence was provided by the Landlord (all one bed studio flats):
 - a) Advice from Mark Willet of Griffen - £850 to £875 pcm
 - b) Letting details for Falcon Avenue - £800 pcm and £825 pcm
 - c) Stifford Clays - £950 pcm

Determination and Valuation

20. The Market Rent is assessed on the basis that the Property is vacant and to let on the market for rent by a willing hypothetical landlord and the whole market is free to compete and submit bids. It is therefore the case that the personal circumstances of the actual Tenant and Landlord are irrelevant as the assessment has regard to a hypothetical rental transaction between hypothetical parties having regard to the Property as it actually exists save for any failures on the part of the Tenant to comply with their covenants. In this regard, internal wear and tear is taken into account.
21. The costs incurred by the Landlord in owning and managing the Property have no relevance to the rent that would be agreed in the market by a hypothetical Landlord who is willing to accept the best offer made by the market irrespective as to whether or not that offer was sufficient to cover their costs.
22. The Tribunal noted that Mr Willet, whose advice was relied upon by the Landlord, had previously viewed No. 1 West Lodge which was let at £705 pcm 16 months ago. However, it was apparent that No. 1 was in better condition than the

Property. Furthermore, the rental range of £850 to £875 pcm provided by Mr Willet was for the purposes of marketing having not viewed the Property.

23. The Tribunal has had regard to the nature and characteristics of potential tenants if the Property was to come on the market. In this regard, it is considered that they market demand for the Property would predominantly comprise persons dependent upon financial assistance whereas, the majority of the comparables provided by the Parties would be of more interest to privately funded professionals.
24. Taking all these matters into account, the Tribunal considers that the Market Rental Value of the Property on the effective date was £750 pcm.

Decision

12. Therefore, the Tribunal determines the market rent at £750 per calendar month with effect from 26 November 2025.

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.