

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/29UN/MNR/2025/0826
Property	1 Charlotte Square Margate Kent CT9 1LR
Tenant	Mr R Akpan and Ms E Siyaka
Tenant's Representative	None
Landlord	Mr L Lamb
Landlord's Address	
Landlord's Representative	Miles & Barr
Date of Application	24th November 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	I R Perry FRICS J S Reichel MRICS
Date of Decision	23rd March 2026
Rent Determined	£1,250 per calendar month
Date the new rent takes effect	30th November 2025

REASONS FOR THE DECISION

Background

1. On 8th October 2025, the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,300 per calendar month(pcm) in place of the existing rent of £1,250 pcm to take effect from 30th November 2025.
2. On 24th November 2025, under Section 13(4)(a) 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.
3. The assured tenancy commenced on 30th August 2023 for a term of 12 months at an initial rent of £1,200 pcm.. 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. None

Liability for Council Tax

6. The Tenants are 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. A new rent of £1,250 pcm was agreed to take effect from 30th November 2024.

Inspection/Hearing

8. Neither party requested an oral hearing. The Tribunal has considered this case on the basis of the papers provided by the parties and its own knowledge and specialist expertise.

The Property

9. The Property is stated to be a 3-storey semi-detached house with no garden or parking space, offering the following accommodation:

Living room, kitchen, 3 bedrooms, bathroom, additional small room.

The Property benefits from gas-fired central heating and double glazing.

The Property is situated in a residential area of Margate approximately ¼ mile from Margate Beach.

Evidence

10. Both the Tenant and the Landlord's Agent made submissions.

The Tenants.

11. The Tenants made the following comments:

- a) The proposed rent is excessive considering the absence of any garden or parking, limited amenities in the CT9 postcode area, general condition and age.
- b) The additional small room has a floor area of 5.16 square metres which is not large enough to be considered a bedroom; fixtures and fittings are dated; there is general wear and tear throughout and frequent mould issues. Internal photographs were provided in support of these assertions.
- c) The Tenants refer to comparable properties advertised at £1,195 pcm and £1,300 pcm both of which have a garden and parking and suggest that the market rent should be £1,275 pcm.
- d) The Tenants challenged the validity of the Notice of Rent increase based on it having been served less than 12 months from the date of the last rent increase.

The Landlord's Agent

- a) The Landlord's Agent provided a form which stated that only carpets, net curtains and a cooker are provided. They also provided a link to a list of properties available to rent but not of actual rents achieved.
- b) The Landlord's Agent had written to the Tenants on 20th October 2025 explaining that a notice to increase the rent can be served less than 12

months after the date of the last rent increase but the date specified for any new rent must not be less than 12 months from the date of the last actual increase in rent.

Determination and Valuation

12. The Tribunal first considered the Tenants' assertion that the Notice of Rent Increase might be invalid. The Tenants had misunderstood the Government guidance note in this regard. The Tribunal determined that the Notice was valid.
13. Relying on its own expert, general knowledge of rental values in the area, and the submissions, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £1,350 pcm. This is the rent we would expect the property to let for in the open market if it was in the same general condition as the comparable properties including having white goods and curtains provided by the landlord.
14. From this level of rent, the Tribunal has made adjustments in relation to the following:
 - a) The Tenants provision of some white goods.
 - b) The Tenants provision of curtains.
 - c) General wants of repair

The full valuation is shown below:

Starting Rent £1,350 pcm

Less

a) Items given under a) above	£20	
b) Items given under b) above	£20	
c) Items given under c) above	£60	<u>£100 pcm</u>

Market rent

£1,250 pcm

Undue hardship

12. The new rent takes effect from the date specified in the Landlord's Notice of Increase unless that would cause undue hardship to the tenant. In cases of undue hardship, the Tribunal has a discretion to fix a later starting date up to the date a Tribunal makes its determination. The Tenants made no representations in this respect.

Decision

13. Therefore, the Tribunal determines the market rent at £1,250 per calendar month with effect from 30th 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.