

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/00LC/MNR/2026/0031
Property	106 Kingfisher Drive Chatham Kent ME5 7NZ
Tenant	Parmod Malhotra
Tenant's Representative	None
Landlord	Keith Jones
Landlord's Address	New Meadow House Weaverlay Street Maidstone Kent ME14 5JH
Landlord's Representative	None
Date of Application	4th February 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	I R Perry FRICS N I Robinson FRICS
Date of Decision	14th May 2026
Rent Determined	£1,220 per calendar month
Date the new rent takes effect	11th February 2026

REASONS FOR THE DECISION

Background

1. On 21st January 2026 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,260 per calendar month (“pcm”) for the Property in place of the existing rent of £1,060 pcm to take effect from 11th February 2026.
2. On 4th February 2026, 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 1st March 2017 at a rent of £925 pcm.

Allocation of Repairs between Landlord and Tenant.

4. The Landlord is responsible for repairs.

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 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

Hearing

8. The Tenants requested an oral hearing which was held on 14th May 2026 at 11.30am using the Tribunal online CVP system.

The Property

9. The Property is stated to be a semi-detached house comprising a living room, kitchen, 3 bedrooms, and bathroom with wc. Outside there are modest gardens to front and rear and a car-parking space.
10. The Property is within a modern development of mixed residential properties.

Evidence

11. The Tenant provided an application form and the Landlord a Reply Form. The Tribunal were provided with photographs before the start of the Tenancy and taken more recently.

The Tenant.

12. The Tenant made the following submissions/comments:
 - a) He paid £8,400 to clear the garden, £13,000 for kitchen flooring, tiles, oven, hob and extractor, and £4,500 for the bathroom.
 - b) He had multiple discussions with the Landlord about his need for a shower
 - c) He has carried out some repairs which should have been done by the Landlord
 - d) The property suffers from mould and pest ingress.
 - e) Photographs were provided
 - f) No white goods are provided by the Landlord. All white goods, fixtures and fittings improved or installed by the Tenant.

The Landlord

13. The Landlord made the following submissions/comments:
 - a) He purchased the house just before Mr Malhotra moved in, insulated the loft, fitted new doors and windows, installed gas central heating, fitted a new kitchen, redecorated and fitted new carpets.
 - b) He initially accepted a rent reduced by £25 per month on the basis that the Tenant would care for the garden.
 - c) A Rightmove Best Price Guide for comparable properties with asking rents from £1,375 pcm to £1,595 pcm.
 - d) A letter in which the Landlord sought to assist the Tenants in purchasing the house by obtaining a Rent to Own mortgage.
14. Photographs were provided which showed the present condition of the property and photographs taken before the start of the tenancy.

The Hearing

15. An on-line hearing was held at 11.30am on 14th May 2026 using the Tribunal CVP system. Both Parties were 'present'. Mr Malhotra was supported by his daughter.
16. When questioned the Tenant confirmed the work he had done to the property comprised the provision of flooring, a hob, oven and extractor fan to the kitchen.
17. When asked about works he had done to the bathroom he stated that this had comprised some tiling of walls.
18. When asked about the works to the garden he stated that this had been a jungle. He had laid paving slabs which, according to Mr Jones, were laid over a manhole cover and reduced the clearance below the damp proof course.
19. The Landlord stated that it was never intended there would be a shower, rather he had fitted a combination tap with a hair washing handset.
20. The Landlord maintained that the carpets were tight weave and can be easily cleaned, that the original kitchen in 2017 was new and he refitted another new kitchen in 2025.
21. The Tenant states the property suffers from black mould. The Landlord states that he has fitted two humidistat fans which are installed to run 24/7 but these have been disconnected by the Tenant.
22. The Tenant states that there are issues with mice and silver fish. The Landlord states that these are attracted by lifestyle choices of the Tenant and his family.
23. Medway Council visited the property at the Tenants request. The Landlord says that he has made the adjustments requested by the Council.
24. Other minor issues of repair were mentioned.
25. The Tenant had asserted that he had dealt with poor and unsafe flooring but when questioned he stated that he had been referring to a worn carpet, although the evidence from the Landlord is that the carpets were new when the Tenant took occupation.

Determination and Valuation

26. The Tribunal carefully considered the evidence provided. In his evidence about repair and improvements that he had undertaken the Tribunal found Mr Malhotra's comments inconsistent. He had stated that he expended £8,500 on the kitchen but this was just for some tiling, an oven, hob and extractor. He claimed he had spent £4,500 on the bathroom, but this was just for some tiling, and he claimed he had spent £13,000 on the garden but this appeared to be just for a limited area of paving slabs.
27. The Tribunal determined that these figures were fanciful and did not consider that replacing grass in the back garden with paving would necessarily be regarded as an improvement.

28. The Tribunal also considered the submissions about mould, silver fish and mice infestation. From the photographs provided and the Landlord's comments the Tribunal considered that these were most likely to be due to lifestyle rather than defects in the property.
29. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £1,300 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, flooring and curtains provided by the landlord.
30. From this level of rent, the Tribunal has made adjustments in relation to the following:
 - a) The Tenant's provision of kitchen appliances.
 - b) The Tenant's provision of additional tiling to bathroom.

The full valuation is shown below:

Starting Rent		<u>£1,300</u> pcm
<u>Less</u>		
a) Items given under a) above	£50	
b) Items given under b) above	£30	<u>£80</u>
Market rent		£1,220 pcm

Undue hardship

31. 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.
32. The Tenant had asked the Tribunal to consider hardship on the basis that he is fully dependent on Universal Credit; his wife is unwell (in hospital when the application made), and he has dependent children.
33. However, the Tenant had not provided any other evidence to justify an adjustment for hardship.

Decision

- 34 Therefore, the Tribunal determines the market rent at £1,220 per calendar month with effect from 11th February 2026, this being the date specified in the Notice.

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.