	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**CAM/38UB/MNR/2026/0090**
Property	**135, Flatford Place, Kidlington, Oxfordshire, OX5 1TG**
Tenant	**Barry Clarke**
Tenant's Representative	**n/a**
Landlord	**Anna Dean**
Landlord's Address	**40 Heath Road,**
Landlord's Representative	**Alistair Redhouse Estates agents Ltd**
Date of Application	**26 April 2026**
Type of Application	**Determination of a Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Judge C Rhys (Chair)** **Mrs J Rossiter MRICS**
Date of Decision	**23 July 2026**
Rent Determined	**£940.00 pcm**
Date the new rent takes effect	**11 May 2026**

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REASONS FOR THE DECISION

Background

1. On 20 March 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £995.00 per calendar month (pcm) in place of the existing rent of £940.00 pcm to take effect from 11 May 2026.

2. On 26 April 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 11 May 2025 for a term of 12 months and thereafter on a monthly basis. The rental period is monthly. The original tenancy is understood to have commenced in 2016.

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 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. Neither party requested an inspection or 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. Based on the information provided by the parties the Property is understood to be ground floor studio flat, offering the following accommodation:

   Internal: Living Room (with fold down bed), bathroom and kitchen.

   External*: "Fenced 'garden'"*.

   The Property was let unfurnished.

   The Property benefits from single glazing.

   The Property is situated in an established urban area in Kidlington.

Evidence

10. Both the Tenant and the Landlord returned the Tribunal's Reply forms and further submissions including photographs.

11. The Tenant's and the Landlord's submissions raised issues of conduct which is not relevant to the determination of market rent.

12. Notwithstanding the above, the Tribunal has considered all documentation and/or submissions provided, regardless of whether it is referenced in this decision.

The Tenant.

13. The Tenant made the following comments:

    a. *"The interior is c.1990…described as "very poor" in the Energy Performance Certificate. The French windows have peeling paint and the lock is faulty. The taps & sink are over 30 years old."*

    b. The Tenant does not accept the validity of the comparators provided by the Landlord.

14. The following comparables were provided by the Tenant:

    a. Foresters Court, Kidlington – a one-bedroom studio, fully furnished and allocated parking space advertised to let at £1,000 pcm.

b. 155 Flatford Place, Kidlington – a one-bedroom studio, unfurnished advertised to let at £950 pcm.

The Landlord

15. The following comparables were provided by the Landlord.

a. Lyne Road, Kidlington – a one-bedroom studio, unfurnished and allocated parking space advertised to let at £1,050 pcm.

b. Oxford Road, Kidlington – a one-bedroom flat, unfurnished advertised to let at £1,050 pcm.

c. Banbury Road, Kidlington – a one-bedroom ground floor flat, unfurnished and allocated parking space advertised to let at £1,050 pcm.

d. Wilsdon Way, Kidlington – a one-bedroom studio, unfurnished and allocated parking space advertised to let at £995 pcm.

e. Russel Court, Kidlington – a one-bedroom studio, unfurnished and allocated parking space advertised to let at £995 pcm.

16. The Landlord also submitted that he does not accept the comparables provided by the Tenant and further did not accept the criticism of the tenant in respect of the condition of the property which he attributes to the Tenant.

17. The Landlord also sought to rely on two emails, firstly an email dated 06 March 2025 from an estate agent which stated that *"…we recently let out a studio flat in Flatford Place similar to yours for £950 - £1,000pcm depending on condition"* and secondly an email dated 06 March 2026 from the same agent which stated *"an up to date figure is £995.00."*

18. However, in respect of the later valuation, the Landlord accepts that the agent did not visit and/or inspect the Property in order to provide the "up to date figure".

Determination and Valuation

19. The Tribunal considers the comparables provided by the Landlord, whilst relevant, are of limited evidential value. Save for the property at Wilsdon Way, Kidlington, the properties provided by the Landlord appear to have far more modern interiors, two of which are flats which would command a higher rental figure, and all have an allocated parking space (the Tribunal's understanding is

that the Property does not). In respect of Wilsdon Way, whilst a more relevant comparable, this property benefits from an allocated parking space.

20. The Tribunal does consider the valuation received by the Landlord from her agent to be relevant, but notes that little, if any, consideration was given to the current condition of the Property. This position is supported by the comparables provided by the Landlord which do not support a valuation of £995.00 pcm.

21. Conversely, the Tribunal considers the comparables provided by the Tenant are relevant to this matter. The Tribunal considered 155 Flatford Place to be particularly relevant due to its proximity and similar nature.

22. The submissions provided by both the Landlord and Tenant were considered to generally be of some use.

23. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided by the Landlord and the Tenant, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £950.00 pcm. This is the rent we would expect the Property to let for in the open market if it was in good general condition.

24. From this level of rent, the Tribunal has made adjustments in relation to the following:

a. The unmodernised condition of the property relative to the comparable properties.

The full valuation is shown below:

Starting Rent		£950.00 pcm
Less		
a) Items given under a) above	£10.00	
Market rent		**£940.00 pcm**

Undue hardship

25. 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.

26. The Tenant has asked the tribunal to take into consideration the hardship that might be caused. The Tenant stated that *"I'm 67 years old and I get a state pension and no other pensions."*

27. The Landlord objected to the Tenant's application querying whether the Tenant had other sources of income.

28. As a result of our decision the rent will not increase and remain the same. The date specified in the landlord's notice was 11 May 2026.

29. Whilst the Tribunal does not dismiss the concerns raised by the Tenant, the Tribunal does not find that for the increase to take effect from the date in the Landlord's Notice would cause undue hardship and accordingly, the Tribunal sets the starting date for the new rent as 11 May 2026.

Decision

30. Therefore, the Tribunal determined the market rent at £940.00 per calendar month with effect from 11 May 2026.

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.

Judge C Rhys **Date Issued: 24 August 2026**