

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/29UN/MRA/2026/0057
Property	Flat 5, 239 Ramsgate Road, Margate, Kent CT9 4FS
Tenants	Ruth Akinloye and Babatunde Owolodun
Tenant's Representative	n/a
Landlord	Grifo Development Ramsgate Road 2 Ltd
Landlord's Address	Pluto House, & Vale Avenue, Royal Tunbridge Wells, Kent TN1 1DJ
Landlord's Representative	Helgi Limited (formerly Hero Living Limited)
Date of Application	29 July 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Judge D Gethin – Chair Mr M Ayres FRICS
Date of Decision	7 September 2026
Rent Determined	£1,100.00 per calendar month
Date the new rent takes effect	1 October 2026

REASONS FOR THE DECISION

Background

1. On 29 May 2026, the Landlord served a notice under Section 13(2) (as amended) of the Housing Act 1988 which proposed a new rent of £1,250 per calendar month (pcm) in place of the existing rent of £1,030 pcm to take effect from 1 August 2026.
2. On 29 July 2026, under Section 14(3) of the Housing Act 1988, the Tenants referred the Landlord's notice proposing a new rent to the Tribunal for determination of an open-market rent.
3. The tenancy commenced on 1 May 2025. 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. The Landlord provides the services and communal amenities associated with the build-to-rent development. The Property forms part of a modern build-to-rent development. The Landlord relies on a range of facilities and management services including professional management, maintenance support, communal gardens, parking, EV charging facilities, CCTV and related amenities.
6. The Tribunal accepts that such facilities form part of the subject letting and should be taken into account in assessing rental value. However, the Tribunal also notes the Tenants' evidence that many of these facilities were already available at the commencement of the tenancy and that comparable local developments offered similar amenities.

Liability for Council Tax

7. 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.

8. None.

Inspection/Hearing

9. 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

10. The Property is a two-bedroom ground floor flat forming part of a modern purpose-built development on Ramsgate Road, Margate completed in or around 2019 offering the following accommodation:

Hall, open plan kitchen/lounge, one bedroom with ensuite, second bedroom, bathroom with full suite and small outdoor patio area.

The Property benefits from modern construction, EPC B rating, modern electrical installations and communal amenities including EV chargers and communal garden. According to the EPC Certificate, the Property is 75 m² or 807 ft².

The Tribunal accepts that the property is an attractive modern letting and that any assessment should place it above older stock lacking similar energy efficiency and management arrangements.

Evidence

11. The parties completed the relevant MR1 (tenant), MR2 (landlord) and MR3 (tenant's reply).

The Tenant.

12. The Tenants made the following comments:
- a) the Tenants confirmed that they had provided the white goods and that the Property was let unfurnished.
 - b) the Tenants does not consider Westcliffe House referred to by the Landlord's agent when first notified of the proposed increase to be a comparable property given its distance from the Property and the fact that it includes white goods and lift access. The Tenants dispute that the Landlord's comparables are actual achieved rent increases rather than proposed increases for other flats within the same development.
 - c) the Tenants consider £1,100 pcm to be the rent that they should pay.
13. In terms of rental evidence, the Tenants had provided links to properties from the property portals "Zoopla" and "RightMove" which showed similar properties to the Property with rents ranging from £900 to £1,100 pcm. Listings had been advertised between May 2026 and July 2026. No details of square footage or whether properties were furnished or unfurnished had been provided.

The Landlord

14. Three comparables were provided by the Landlord at section 2.5 of the MR2 (all two bed flats). Each was said to be flats within the same building. Evidence of the purported lets were provided by way of screenshots taken from the Landlord's agent's own management systems. Each is considered by the Landlord as a direct comparable as it was built by the same developer with similar layout and condition.
- a) First floor flat 846 ft² purportedly let at £1,265 pcm
 - b) Ground floor flat 777 ft² purportedly let at £1,255 pcm
 - c) First floor flat 743 ft² purportedly let at £1,265 pcm
15. The Tenants dispute the Landlord's quoted sizes for the comparable properties compared with the Property.

Determination and Valuation

16. The Tribunal considers the comparables provided by the Landlord are relevant to this matter but notes that the screenshots provided do not evidence these are achieved lets rather than the proposed rent increases. The Landlord failed to include any comparables from the local area other than from the same development. The rental submission provided by the Tenants was considered generally to be of use.
17. Relying on its own expertise and general knowledge of rental values in the area, and the comparables provided by the Landlord and Tenant, the Tribunal considers that the market rental of the subject Property would be in the order of £1,100.00 pcm. This is the rent we would expect the property to let for in the open market allowing for the fact that white goods and furnishings are not provided by the landlord. We consider any variance in size between the Property and the Landlord's comparables to be insignificant when it comes to the rental values expected to be achieved.
18. Given the very recent age of the Property, and absent any dispute raised by the Tenants, we make no adjustments for condition.

Open-Market rent

£1,100.00 pcm

Undue hardship

19. The new rent takes effect from the date which is the beginning of the first new period of the tenancy which begins on or after the date of the determination 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 two months after it makes its determination.
20. The Tenants have asked the Tribunal to fix a later starting date in this case. The Tenants say that they will be caused undue hardship because the proposed increase represents an increase of approximately 21% and that Mr Owolodun is currently seeking employment. No evidence was provided in support of these submissions.
21. The Landlord did not respond to the Tenant's application for postponement due to hardship.
22. As a result of our decision the rent will increase by £70.00 per month. On the basis of the evidence supplied by the Tenant, the Tribunal considers that for the increase to take effect from the date the Tribunal makes its determination would not cause undue hardship and accordingly sets the starting date for the new rent as 1 October 2026.

Decision

23. The Tribunal determines the new rent amount at £1,100.00 per calendar with effect from 1 October 2026 which is the beginning of the first new period of the tenancy which begins on or after the date of the determination.

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.