	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	CAM/12UB/MRA/2026/0023
Property	21 Wallace Road, Origins, Franklin Gardens, Cambridge, CB3 0WU
Tenants	Oluwabusola Akinwande Patricia Fajardo-Romero
Tenant's Representative	N/A
Landlord	REALTAF Cambridge LP
Landlord's Address	C/O Colby River Property Management Limited, Vertex, 2nd Floor, 1 Tabley Court, Victoria Street, Altrincham, WA14 1EZ
Landlord's Representative	Colby River Property Management Limited
Date of Application	8 July 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Judge Banks Tribunal Member David Hunt MRICS
Date of Decision	8 October 2026
Rent Determined	£2,650 per calendar month
Date the new rent takes effect	9 October 2026

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REASONS FOR THE DECISION

Background

1. On 8 May 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £2,750 per calendar month (pcm) in place of the existing rent of £2,500 pcm to take effect from 9 July 2026.

2. On 8 July 2026, under Section 14 (A3) 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 9 July 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 curtains 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. None

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 a terraced, three-storey house forming part of a modern development that remains under construction. It provides four bedrooms, two bathrooms, a lounge, a kitchen/dining room, a utility room, a study, a downstairs WC, and integrated white goods and appliances. Externally, it has a garage, terrace, small front garden, rear garden and shed.

10. The Property is of recent construction and benefits from an air-source heat pump, double glazing, vinyl flooring in the kitchen/dining room, utility room, WC and bathrooms, and carpeting elsewhere. It is situated on the outskirts of Cambridge, with good transport links to the city centre.

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:

13. The Tenants contended that the landlord's proposed rent of £2,750 per calendar month exceeded the open market rental value of the property. They relied principally upon a number of contemporaneous rental listings within the same development and the surrounding locality. In particular, they referred to a four-bedroom detached house on Down House Drive within Franklin Gardens advertised at £2,550 per month and to a further four-bedroom house on the development advertised at £2,430 per month with rent incentives. The tenants submitted that detached houses would ordinarily attract a premium over a terraced property and that these examples indicated that the proposed rent was above prevailing market levels.

14. The Tenants also relied on comparable properties in nearby established villages. They referred to a four-bedroom detached house in Histon advertised at £2,500 per month. They submitted that such properties benefitted from completed infrastructure and local amenities yet were marketed at rents below the landlord's proposed figure.

15. Particular reliance was placed upon the "Cleaveland" house type, which the tenants submitted was the same design as the subject property. They noted that the landlord's own evidence included a Cleaveland property on Down House Drive marketed at £2,650 per month. However, they argued that this represented only an asking rent and that the landlord had not demonstrated that the property had in fact been let at that figure. They made a similar criticism of other comparables relied upon by the landlord and contended that some advertised rents were accompanied by incentives, such as rent credits or discounted initial periods, resulting in effective rents below the headline asking figures.

16. The Tenants further challenged the weight to be attached to the landlord's evidence of lettings allegedly achieved at £3,250 per month in September 2025. They submitted that insufficient information had been provided regarding the location, size, property type, or terms of those lettings and that there was therefore limited scope for verification or comparison. They also argued that the lettings were significantly earlier than the valuation date and should be treated with caution.

17. A further aspect of the Tenants' case concerned the condition of the surrounding development. They submitted that the property was situated within an estate that remained under active construction. They relied upon photographs, doorbell-camera images and video footage said to show construction works, machinery, temporary fencing, construction traffic and noise in the immediate vicinity of the property during the relevant period. The Tenants argued that the ongoing works, together with the absence of completed amenities and infrastructure, adversely affected the property's rental value and distinguished it from completed developments where higher rents may be achieved.

18. Taking these factors together, the Tenants submitted that an open market rent of £2,550 per calendar month was appropriate. They argued that this figure reflected the closest same-house-type evidence, the level of rents being marketed elsewhere on the development, the impact of incentives offered to prospective tenants, and the continuing construction activity immediately surrounding the property.

19. The Tenants provided the following comparables and comments:

    1. Down House Drive, Franklin Gardens - four-bedroom detached house within the same development, advertised at £2,550 pcm and marked "let agreed".
    2. Down House Drive / Origins, Franklin Gardens - four-bedroom semi-detached house within the same development. The listing stated a

contractual rent of £2,650 pcm, but with rent incentives resulting in an effective average rent of approximately £2,430 pcm.

3. Brook Close, Histon - four-bedroom detached house in Histon, advertised at £2,500 pcm (plus £50 pcm electricity contribution).
4. Greystoke Road, Cambridge - four-bedroom property advertised at £2,250 pcm.
5. Whittington Road, Cambridge - four-bedroom property advertised at £2,600 pcm.
6. Elsworth Place, Cambridge - four-bedroom property advertised at £2,500 pcm.
7. St Bartholomews Court, Cambridge - four-bedroom property advertised at £2,300 pcm.
8. Canterbury Street, Cambridge - four-bedroom property advertised at £2,200 pcm.
9. Hawthorn Way, Cambridge - four-bedroom property advertised at £2,650 pcm.

20. The Tribunal found the property at Down House drive the most helpful however the Tribunal noted that this property did not have a terrace or study so it was not directly comparable.

The Landlord

21. The Landlord relied upon a Best Price Guide prepared by its managing agents, Colby River, containing details of fourteen four-bedroom semi-detached properties marketed within approximately three miles of the subject property between June and August 2026. The comparables were advertised at rents ranging from £2,595 pcm to £3,200 pcm. Of particular relevance were two properties on Down House Drive within the same development, each advertised at £2,650 pcm. The Landlord also relied upon a detailed inventory and check-in report prepared at the commencement of the tenancy which described the Property as being in very good condition with new fixtures and fittings.

Determination and Valuation

22. The Tenants relied upon a number of properties identified through links to online advertisements. However, the Tenants did not provide copies of the advertisements themselves, details of the properties' specifications, floorplans, dimensions or any other evidence enabling the Tribunal to properly assess their

comparability with the subject Property. Whilst the Tribunal has considered those properties, it was only able to place limited weight upon them as they largely amounted to references to advertised properties rather than fully evidenced comparables.

23. By contrast, the Landlord provided a schedule of comparable properties together with details of the advertised rents and letting status. The Tribunal derived particular assistance from the property at Down House Drive, which was a four-bedroom townhouse within the same Franklin Gardens development and of the same property type as the subject Property. The evidence showed that this property was marketed and let at £2,650 pcm. The Tribunal considers this to be the strongest comparable before it as it is situated in the same development, is of the same property type and reflects an actual letting achieved in the open market.

24. The Tribunal also had regard to the remaining properties relied upon by the Landlord, which demonstrated that four-bedroom family houses in Cambridge were being marketed at rents broadly ranging from approximately £2,600 pcm to £3,200 pcm. Whilst the Tribunal had limited information regarding the precise accommodation, size and specification of those properties, they provide support for the proposition that the market rent for accommodation of this nature was substantially above the level contended for by the Tenant.

25. The Tribunal took account of the Tenants' evidence concerning the continuing construction activity within the development. However, it did not consider that evidence sufficiently persuasive. The photographs and video recordings contained no metadata, provided only limited snapshots of the conditions at particular times and did not enable the Tribunal reliably to assess the nature, frequency or duration of the noise throughout the day. Furthermore, the ongoing development would have been apparent when the Tenants entered into the tenancy, and a degree of construction-related disturbance could reasonably have been anticipated. In those circumstances, the Tribunal was not satisfied that the evidence justified any adjustment to the market rent.

26. Taking all of the evidence into account, and attaching particular weight to the letting achieved at the directly comparable townhouse within the same development, the Tribunal is satisfied that the rent which the Property might reasonably be expected to achieve if let on the open market under an assured periodic tenancy at the relevant date was £2,650 pcm.

Open-Market Rent £2,650 pcm

Undue hardship

27. 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.

28. The Tenants submitted that the proposed increase would place pressure on the household budget, affect their ability to maintain savings and create financial uncertainty following a recent change in household income. However, no evidence was provided in support of those assertions. In particular, the Tribunal was not provided with any information regarding income, expenditure, assets, liabilities or other financial circumstances. Whilst the Tribunal has considered the Tenants' submissions, it is not able to make findings based on unsupported assertions alone. There is therefore insufficient evidence upon which the Tribunal could conclude that the rent determined would cause hardship, and the application is refused.

Decision

29. The Tribunal determines the new rent amount at £2,650 per calendar month with effect from 9 October 2026 as this is lower than the proposed rent of £2,750 per calendar month.

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 (rule 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.