	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER (RESIDENTIAL PROPERTY)**
Case Reference	**CAM/22UE/MRA/2026/0070**
Property	**3 Almere, Benfleet, Essex, SS7 5PY**
Tenant	**Tony Selwyn** **Caroline Selwyn**
Tenant's Representative	**9 August 2026**
Landlord	**David Jenkins**
Landlord's Address	**C/O Gilbert and Rose, Unit 7 Launch Pad, Southend Airport Business Park, Rochford, Essex, SS4 1YH**
Landlord's Representative	**Gilbert and Rose Lettings**
Date of Application	**9 August 2026**
Type of Application	**Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Judge Alice Holtom** **Patrick McGreal MRICS**
Date of Decision	**16 October 2026**
Rent Determined	**£2,200 per calendar month**
Date of Valuation	**20 August 2026**
Date the new rent takes effect	**20 October 2026**

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REASONS FOR THE DECISION

Background

1. On 3 June 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £2,300 per calendar month (pcm) in place of the existing rent of £1,850 pcm to take effect from 20 August 2026.

2. On 9 August 2026, under Section 14 (A3) of the Housing Act 1988, the Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of an open-market rent.

3. The tenancy commenced on 20 August 2024. 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 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 provided

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 two storey four-bedroom detached house built in the mid-1980s offering the following accommodation:

Property: Lounge, kitchen, diner, four bedrooms, cloakroom, bathroom and shower-room.

Outside: Garden, off-street parking and garage.

The Property benefits from Gas central heating, double glazed windows and both hard and carpeted floor coverings.

The Property is situated in South Benfleet which is a commuter town where owner-occupation is the predominant form of tenure with good connections to the national road network and a railway station that benefits from a frequent service to Fenchurch Street. The journey takes around forty-five minutes. The subject property is approximately 1½ miles from the railway station where shops and public houses are clustered.

Evidence

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

The Tenant

11. The Tenant made the following comments:

a) The current market rent for the property is between £2,000 and £2,100 pcm.

b) An increase from £1,850 to £2,300 represents an additional £450 every month, which we believe is excessive when considered against this particular rental property and the comparable evidence available.

c) The Property is slightly dated and has had limited modernisation compared with a number of properties being marketed within the same rental range.

d) The Property is situated directly opposite three schools, and the close can become extremely busy during school drop-off and collection times, particularly in relation to traffic, parking and obstruction.

e) The ceiling lights in the ensuite bathroom flicker.

f) The comparables that have been previously provided by the Landlord's agents are not like for like comparisons. Some appear to have been marketed several months previously, around January to March, while a number are larger, have five bedrooms, are detached and/or appear considerably more modernised.

g) Advertised asking rents should not by themselves establish the open market rent for this particular property.

h) In June 2026, the Tenant viewed a four-bedroom, two-bathroom detached house in Woodlands Park, Leigh-on-Sea, advertised at £2,000 pcm, which the Tenant considered to be in better condition and a more desirable location than the Property.

12. The Tenant provided the following comparables:

a) Kents Hill Road. A five-bedroom semi-detached house in close proximity to Almere available for letting at £2,100 pcm. No particulars were provided

b) Langford Crescent. A four-bedroom detached house available for letting at £2,100 pcm.

c) Loveday Estate. Reportedly a four-bedroom detached house available for letting at £2,400 pcm. Stated to be larger and modernised to a better degree than the subject house.

d) Downesway. Reportedly a three-bedroom detached bungalow available for letting at £1,700 pcm. No particulars were provided.

The Landlord

13. The Landlord made the following comments:

a) The Landlord disagreed with the Tenant's comparable evidence, contending that some of the properties were located several miles from the Property.

b) There is a scarcity of available properties which had contributed to higher rental values in the area.

14. The following advertised comparables were provided by the Landlord:

a) Thundersley Park Road. A four-bedroom recently built detached house available to let in July 2026 at £2,600 pcm.

b) High Road. A three-bedroom house. The particulars did not make clear whether the property was detached, semi-detached or terraced. Marketed at £2,300 pcm in November 2025 and let agreed but letting rent unknown.

c) Elmhurst Avenue. A four-bedroom detached house marketed at £2,250 pcm in March and April 2026 and let agreed but letting rent unknown.

d) 4 Felstead Road. A four-bedroom detached house marketed at £2,200 pcm in August and September 2025 and let agreed but letting rent unknown.

e) High Road. A 3-bedroom house marketed for £2,200 pcm.

f) The Chimes. A three-bedroom semi-detached house marketed at £2,100 pcm in January 2026 and let agreed but letting rent unknown.

Determination and Valuation

15. Under section 14(1) of the Housing Act 1988 (as amended), the Tribunal is required to determine the rent at which the Property might reasonably be expected to let in the open market by a willing Landlord at the beginning of the new period specified in the Landlord's notice. Relevant Tenant improvements or failure of the Tenant to comply with the terms of the tenancy are to be disregarded. Historic issues relating to the tenancy or the personal circumstances of the Landlord are not taken into account. The personal circumstances of the Tenant are only considered if an application for hardship has been made.

16. The Tribunal has considered the evidence concerning the condition and location of the Property.

17. The evidence relating to the physical condition of the Property is limited and consists primarily of the parties' descriptions. No survey, inventory, or other objective assessment of the overall condition of the Property has been provided. The Tenant contends that the Property is dated and has undergone limited modernisation. Whilst the Tribunal accepts that the Property is somewhat dated and has not been extensively modernised, there is insufficient evidence to conclude that its condition materially differs from many comparable family houses available within the local rental market.

18. The Tenant has also raised concerns regarding traffic and parking congestion arising from the Property's location opposite nearby schools. Unlike the evidence concerning the condition of the Property, photographic evidence has been provided demonstrating periods of congestion and on-street parking associated with school drop-off and collection times. The Tribunal accepts that this is a feature of the location which may be regarded as a minor disadvantage by some prospective tenants. However, any disruption caused is limited to the start and finish times of the school and the Tribunal does not consider that it would significantly affect the rent which a willing tenant would pay for a detached four-bedroom family house in this locality.

19. The Tribunal also notes the reported issue of flickering lighting within the ensuite bathroom. On the evidence before it, this appears to be a minor maintenance matter which would not materially affect market rent.

20. In the absence of substantial evidence relating to condition, the Tribunal places greater weight on the comparable rental evidence provided by the parties, whilst recognising the limitations of advertised asking rents and the fact that no evidence has been provided as to the final agreed letting rents achieved in most cases.

21. The Tribunal has considered the comparable evidence provided by both parties. The Tribunal recognises that advertised rents are of some assistance in assessing market rent, although they are generally less persuasive than evidence of completed lettings. In the present case, neither party has provided evidence of the rents ultimately agreed for the majority of the comparable properties.

22. The Tribunal places limited weight on Thundersley Park Road. Whilst it is a four-bedroom detached house, it was recently built and marketed at £2,600 pcm. The Tribunal considers that its modern specification is likely to command a premium over the subject Property.

23. The Tribunal places moderate weight on Elmhurst Avenue and Felstead Road. Both are four-bedroom detached houses and are therefore broadly comparable to the Property. They were marketed at £2,250 pcm and £2,200 pcm respectively. Although the achieved rents are unknown and there is limited evidence regarding their precise condition and specification, these properties provide useful indicators of market value.

24. The Tribunal places less weight on the properties at High Road and The Chimes. These were three-bedroom properties and therefore materially smaller than the Property. They assist in identifying the general level of rents in the locality but are not directly comparable.

25. The Tribunal has also considered the Tenant's comparable evidence. The Tribunal places little weight on those comparables for which no particulars have been provided. The Langford Crescent and Loveday Estate properties are of greater assistance as they are said to comprise four-bedroom detached houses. However, the evidence suggests that at least some of those properties were superior to the Property in terms of size, condition or level of modernisation. The Woodlands Park property, advertised at £2,000 pcm, provides some support for a lower valuation, although it is located outside the immediate locality. Whilst the Tenant's evidence assists in demonstrating that the proposed rent of £2,300 pcm is towards the upper end of the market, it does not persuade the Tribunal that the market rent of the Property is as low as £2,000 pcm.

26. Relying on its own expertise and general knowledge of rental values in the area, together with the comparable evidence provided by both parties, the Tribunal considers that the most helpful comparables are the four-bedroom detached properties at Elmhurst Avenue and Felstead Road, which were marketed at £2,250 pcm and £2,200 pcm respectively. The Tribunal has taken into account that the achieved letting rents are unknown, together with the evidence that some comparable properties may have benefited from a greater degree of modernisation than the subject Property. Balancing all of the available evidence, the Tribunal determines that the open market rent for the Property at the valuation date was £2,200 pcm.

Decision

27. The Tribunal determines the new rent amount at £2,200 per calendar month with effect from 20 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 after 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.