	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER (RESIDENTIAL PROPERTY)**
Case Reference	**HAV/00HG/MRA/2026/0065**
Property	**Ground Floor Flat, 76 Alexandra Road, Mutley, Plymouth, PL4 7JT**
Tenant	**Michael Kamara and Joycee Pormai-Kamara**
Tenant's Representative	
Landlord	**James Kerrison**
Landlord's Address	**23 Portland Court, Stoke, Plymouth, PL1 4PU**
Landlord's Representative	
Date of Application	
Type of Application	**Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Tribunal Judge Bowden** **Tribunal Member Mr N Robinson FRICS**
Date of Decision	**28 October 2026**
Rent Determined	**£950 per calendar month**
Date of Valuation	**27 October 2026**
Date the new rent takes effect	**13 November 2026**

(c) Crown Copyright 2025

REASONS FOR THE DECISION

Background

1. On 11 June 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,025 in place of the existing rent of £950 per calendar month (pcm) to take effect from 13 August 2026.

2. On 07 August 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 Tenant's referral was received by the Tribunal on the same date it was referred.

4. The assured shorthold tenancy commenced on 13 January 2025 for a term of 13 months. The rental period is monthly. Following the amendments introduced by the Renters' Reform Act 2025, the tenancy became a periodic assured tenancy with a monthly rent period (Housing Act 1988, s. 4A).

Validity of the Notice – Section 13B of the Housing Act 1988

5. The Tenant agreed that the notice served was valid.

Allocation of Repairs between Landlord and Tenant.

6. As per section 11 of the Landlord and Tenant Act 1985

Service Charges or furniture provided by Landlord (other than carpets and curtains and white goods specified below) and the costs relating to the same.

7. No services are provided under the tenancy.

Liability for Council Tax

8. 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

9. There were no other terms in the tenancy agreement relevant to market rent determination.

Hearing

10. Neither party requested an oral hearing.

11. The Tribunal was satisfied that it could consider this case on the basis of the papers provided by the parties.

Inspection

12. There was no inspection. The Tenant indicated on Form MR1 that they did not think an inspection was required. The Landlord did not provide substantiated reasons for an inspection in their Form MR2.

The Property

13. The Property is centrally located on a bus route in an urban location; the road outside has double yellow lines on both sides; therefore, visitor parking is limited. It is an unfurnished ground-floor two-bedroom flat with an EPC rating of E. The accommodation is as follows:

Property:	2 bedrooms (2nd bedroom is agreed to be small) 1 bathroom Living room Kitchen Utility/Storage room
Outside:	An allocated off-street parking space Private rear access
Furniture:	Not included
Furnishings and flooring:	Flooring: Living room and bedroom 1 both have wooden floor Tenant says wooden floor is not insulated and bedroom 2 has carpet and its floor is also poorly insulated
Heating and thermal efficiency	Double glazing (see EPC). Heating is via old electric storage heaters.

Improvements

14. The Tenant is not sure if they made any improvements.

Evidence

15. The Tribunal carefully considered the MR1 (Tenant), MR2 (Landlord) and MR3 (Tenant's reply) and attachments provided by the parties, along with relevant correspondence provided to it in the hearing bundle.

The Tenant

16. The Tenant provided:

    a. Form 4, tenancy agreement, comparable properties, correspondence, images of the interior and exterior, EPC (E), and energy bills.

17. The Tenant made the following comments:

    a. They thought the open market rent should be £950.

    b. The Tenant relies principally on the following points:

        i. The property has an EPC rating of E, which is below many comparable properties relied upon by both parties.

        ii. It is heated by older manual electric storage heaters, which the Tenant says are inefficient and expensive to run compared with gas central heating or modern heating systems.

        iii. The second bedroom is small, measuring approximately 2.58m x 1.93m, and is materially smaller than a conventional double bedroom.

        iv. The Tenant says the property is cold, has suspended timber floors, with no insulation. He argues this adversely affects thermal efficiency and should be taken into account when assessing rent. Photos were provided of the floor issues.

        v. The Tenant contends that the private outdoor space is limited, measuring about 5.6m x 1.1m (approximately 6.2m²), and should not be equated with the larger gardens available at some comparator properties.

        vi. The winter electricity bills are exceptionally high because the property's inefficient electric storage heaters and can cost up to £315 a month to run during colder months (energy bills attached as proof).

The Landlord

18. The Landlord provided a supporting statement with a table of comparables.

19. The Landlord made the following comments:

    a. The Landlord's principal submissions are:

        i. The property is a two-bedroom ground-floor flat in a popular residential area of Mutley, Plymouth, close to local amenities and transport links.

        ii. It benefits from several attractive features which add to its rental value, including:

            - Allocated off-street parking
            - Private rear access
            - Exclusive outdoor space/garden area
            - A self-contained layout and good location

        iii. The Landlord argues that these comparables show that two-bedroom flats in the locality commonly achieve rents in excess of £1,000 per month and that the proposed rent of £1,025 pcm sits towards the lower end of that market range.

        iv. While acknowledging differences between properties, the Landlord submits that the subject property's parking space, private access and outdoor area are valuable features that support the proposed rent.

        v. In response to the Tenant's criticisms, the Landlord does not accept that the property's EPC rating of E, storage heaters, or the size of the second bedroom justify maintaining the rent at £950 pcm. The Landlord's position is that, when the property is viewed as a whole and compared with the local market, £1,025 pcm remains a fair open-market rent.

Comparables

20. The parties put forward the following comparables:

Property	£ pcm	Party	Key features
Subject Property -	**£1,025 proposed**		2-bedroom ground-floor flat; EPC E; older manual electric storage heaters; allocated parking; rear outdoor area approx.; private rear access
Knighton Road	**£800**	Tenant	Ground-floor 2-bed property; EPC D; unfurnished; secure allocated off-street parking; one double and one single bedroom. (p.122, p.144)
Welbeck Avenue	**£850**	Tenant	2-bedroom unfurnished property; EPC C; refurbished throughout. (p.122, p.144)
College Avenue	**£950**	Tenant	2-bedroom unfurnished property; EPC C. (p.122, p.144)
Elm Road, Mutley	**£980**	Tenant (also discussed by Landlord)	EPC D; own entrance; large private walled garden; large living room; new kitchen and carpets; one main bedroom and smaller second bedroom/study; gas hob; on-road parking. (pp.122, 154, 165-167)
Carmarthen Road	**£995**	Tenant (also discussed by Landlord)	2-bedroom unfurnished flat; EPC C; living room, kitchen, hallway and bathroom; parking and garden "ask agent". (pp.122, 155, 157-158)
Alexandra Road	**£950**	Tenant	Duplex; 2 double bedrooms; EPC D; gas central heating; double glazing; spacious kitchen and lounge; bathroom plus separate WC; unfurnished. (pp.123, 145, 152)
Prince Maurice Road	**c. £1,100**	Tenant	Modern/new-build 2-bedroom accommodation; EPC C; contemporary specification. (pp.122, 144-145)
Alexandra Road	**£1,000**	Landlord	Same road; approx. 807 sq ft; very spacious ground-floor flat; 2 double bedrooms; private rear garden; allocated parking; gas central heating; double glazing. (pp.106-107, 155)
College Avenue	**£1,025**	Landlord	EPC C; duplex; 2 double bedrooms; off-road parking; materially superior accommodation/specification; 2

			bathrooms/en-suite according to Tenant's analysis. (pp.107, 124, 155)
50 Alexandra Road	**£1,100**	Landlord	Same street; ground-floor Victorian flat; private courtyard/front garden; off-road parking; bay window; EPC D; gas central heating; superior presentation. (pp.106-107, 124, 156)
Connaught Avenue	**£1,200**	Landlord	Character 2-bedroom flat; 2 double bedrooms; spacious accommodation; private courtyard; allocated parking; additional storage; higher specification. (pp.107, 124, 156)

Determination and Valuation

21. 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.

22. The Tribunal noted that damp, mould and poor maintenance was visible in the photographs including to the front exterior of the building

23. The Tribunal carefully considered the comparable properties put forward by the parties. Relying on its own expertise and general knowledge of rental values in the area, and the relevant comparable properties provided by the parties. The Tribunal considers that the market rent of the property, had it been in good repair and condition with modern heating and insulated floors, would be £1,025 pcm.

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

    a. Electric storage heaters and the poor thermal efficiency leading to increased heating costs.

b. Damp, mould and poor maintenance visible in the photographs including to the front exterior of the building.

25. The full valuation is shown below:

Starting Rent		**£1,025 pcm**
Less		
a)	Items given under 24a. above	£50 pcm
b)	Items given under 24b. above	£25 pcm
	Subtotal	£75 pcm
Market rent for the Property		**£950 pcm**

Undue hardship

26. 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.

27. The Tenant has asked the Tribunal to fix a later starting date in this case. The Tenant says they will be caused undue hardship because:

a. The proposed rent of £1,025 would consume nearly 50% of the Tenant's net monthly take-home income (of about £2,050- payslips attached as proof).

28. The Tenant produced the following evidence: Electricity bills and pay slips.

29. The Landlord did not respond to the Tenant's application for postponement due to hardship.

30. As the Tribunal has determined a rent of £950 pcm, which is the same as the Tenant's existing rent, the determination does not result in any rent increase. The question of postponing the effective date on grounds of hardship therefore does not arise.

Decision

31. The Tribunal determines the new rent amount at £950.00 per calendar month with effect from 13 November 2026, as this is lower than the proposed rent of £1,025.00 per calendar month.

Name: Tribunal Judge Bowden **Date:** 28 October 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.