	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/29UD/MNR/2026/0178
Property	3 Calverley Lane, Ebbsfleet Valley, Alkerden, Swanscombe, Dartford DA10 1HQ
Tenant	Nofidat Awoyemi and Opeyemi Akinboluwajo
Tenant's Representative	
Landlord	REALTAF Ebbsfleet LP
Landlord's Address	c/o Allsop Letting & Management, 8th Floor, Platform Building, New Station Street, Leeds LS1 4JB
Landlord's Representative	Allsop Letting & Management
Date of Application	01 June 2026
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 Hetherton MRICS IRRV (Hons)
Date of Decision	09 November 2026
Rent Determined	£2,300 per calendar month
Date of Valuation	05 November 2026
Date the new rent takes effect	12 June 2026

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REASONS FOR THE DECISION

Background

1. On 28 April 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2,375 in place of the existing rent of £2,250 per calendar month (pcm) to take effect from 12 June 2026.

2. On 01 June 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. The Tenant's referral was received by the Tribunal on the same date it was referred.

3. The assured shorthold tenancy commenced on 12 June 2025 for a term of 12 months. The rental period is monthly. The tenancy then continued as a rolling monthly tenancy. Following the amendments introduced by the Renters' Reform Act 2025, the tenancy has become 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

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

Allocation of Repairs between Landlord and Tenant.

5. 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.

6. The tenancy includes the following services:

   a. Front lawn gardening.

   b. Standard broadband service is included, which is fibre broadband to the premises with a minimum speed of 150 megabits per second.

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

Hearing

9. Neither party requested an oral hearing.

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

Inspection

11. There was no inspection. The Tenants 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

12. The Property is located in Ebbsfleet Valley and is situated in a newly constructed suburban location and is a semi-detached house. The accommodation is as follows:

Property:	Living room/Dining Downstairs WC Kitchen 3 bedrooms 2 bathrooms (on ensuite)
Outside:	Garden Carport with parking
Furniture:	Unfurnished
Furnishings and flooring:	Carpet flooring in bedrooms/ landing & stairs Tiles in bathrooms and W/C Vinyl flooring throughout downstairs
Appliances goods:	Kitchen appliances provided
Heating and thermal efficiency	Central Heating Double glazing

Improvements

13. The Tenant has not listed any improvements.

Evidence

14. 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

15. The Tenant provided:

    a. Form 4A, tenancy agreement, images of the property, comparables and financial disclosure

16. The Tenant made the following comments:

    a. They thought the open market rent should be £2,250-£2,300.

    b. The property's value was adversely affected by limited local amenities, noise from the nearby A2, restrictive radiator placements and a lack of built-in storage.

    c. The Tenants further argued that the existing rent already reflected the property's modern specification and amenities, with no improvements having been made to justify a significant increase.

    d. They also challenged the weight that should be attached to the Landlord's comparables, noting that many were properties from the Landlord's own development and portfolio.

17. The Tenant's comparable properties are summarised below:

Property	Features	Evidence	Advertised Rent pcm	Treatment by the Tribunal
Subject property	3 bedrooms 2 bathrooms (on ensuite) Carport and parking broadband included		£2,250 current £2,250-£2,300 Tenant position £2375 Landlord position	

a. Roberts Close, Ebbsfleet Valley	Modern 3 bed house	Web	£2,200	This was a modern property, but there did not appear to be a carport or garage. This was not a direct comparable But was in the same development area
b. Savery Avenue, Castle Hill, Ebbsfleet Valley	3 bed 3 bath modern	Web	£2,250	Will be a new build once finished. 3 stories, and no car port. The image also shows it close to construction Not direct comparable
c. Forrest Shaw, Swanscombe	3 bed 1 bath	Web	£2,200	This was 3 bed 1 b – not a direct comparison.
d. Lancaster Close, Ebbsfleet Valley	3 bed 2 bath	Web	£2,000	This was a similar design to the subject property but had the benefit of a garage. This was not a direct comparable
e. Tickner Drive, Castle Hill, Ebbsfleet Valley	3 bed Garden and parking Modern residential development	Web	£2,300	This property did not have the benefit of a carport. Not direct comparable
f. Longhoughton Avenue, Ebbsfleet Valley	3 bed 2 bath Modern	Web	£2,300	It is not clear if there is a carport.

	3 stories			3 stories. Not direct comparable
g. Chalkwood, Ebbsfleet Valley	Kestral style property	Web	£2,450	This is the same style property but may be 'new'. This is a strong comparable

The Landlord

18. The Landlord provided:

    a. Appendix A a floor plan and photos of the 'Kestrel' property type.

    b. Appendix B a copy of the inventory report and any maintenance issues

    c. Appendix C as raised by the Tenant(s) and addressed & actioned by their dedicated property manager.

    d. A link to the virtual tour of a 'Kestrel' property type.

19. The Landlord made the following comments:

    a. The most recent lets achieved for properties of the same type from the Landlord's portfolio in the development.

        i. Colyer Drive, Chalkwood, Alkerden, Ebbsfleet, DA10 1GT - May 11th, 2026 - £2,325pcm

        ii. Colyer Drive, Chalkwood, Alkerden, Ebbsfleet, DA10 1GT - May 15th, 2026 - £2,325pcm

        iii. Colyer Drive, Chalkwood, Alkerden, Ebbsfleet, DA10 1HP - June 30th, 2025 - £2,325pcm

    b. A renewal was achieved on 27 April 2026, Calverley Lane, Chalkwood, Alkerden, Ebbsfleet, DA10 1HQ - £2,375pcm

    c. Appendix D for comparable 3-bedroom properties (let agreed & no longer advertised) within 5 miles of DA10 1HQ.

20. The Landlord's comparable properties are summarised below:

Property	Features	Evidence	Advertised Rent pcm	Treatment by the Tribunal
Subject property	3 bedrooms 2 bathrooms (on ensuite) Carport and parking broadband included		£2,250 current £2,250-£2,300 Tenant position £2375 Landlord position	
a. Colyer Drive, Chalkwood, Alkerden, Ebbsfleet, DA10 1GT		MR2	£2,325	No images No details No independent evidence Limited weight
b. Colyer Drive, Chalkwood, Alkerden, Ebbsfleet, DA10 1GT		MR2	£2,325	No images No details No independent evidence Limited weight
c. Colyer Drive, Chalkwood, Alkerden, Ebbsfleet, DA10 1HP		MR2	£2,325	No images No details No independent evidence Limited weight
d. Calverley Lane, Chalkwood, Alkerden, Ebbsfleet, DA10 1HQ		MR2	£2,375	No images No details No independent evidence Limited weight
e. Dartford	3 bedroom semi-detached house Three Double Bedrooms	Best Price Guide	£2,375	Difference location Rent incentive

	Reposit (no traditional deposit) option available All homes have a dishwasher, WC, and are pet friendly Maintained residents front gardens and open areas EV charging point per house for electric car(s) Air Source Heat Pumps instead of gas Resident app to manage your tenancy easily Smart Thermostats			No car port Not a direct comparable
f. Dartford, Kent, DA2	3 bedroom terraced house Award Winning Property Management Brand New Energy Efficient Homes WIFI Included and available upon move in EV Charging Point Smart Tech, including bluetooth keys and fobs Pet Friendly Homes Resident App Air Source Heat Pumps	Best Price Guide	£2,375	No evidence that the price was the agreed price. Difference location No car port Not a direct comparable

g. Swanscombe, Kent, DA10	3 bed Semi This home is powered by Octopus Zero Bills Brand New Energy Efficient Homes WIFI Included and available upon move in EV Charging Point Smart Tech, including bluetooth keys and fobs Pet Friendly Homes Resident App Air Source Heat Pumps	Best Price Guide	£2,360	Energy incentive Brand new home Difference location No car port Not a direct comparable
h. Colyer Drive, Ebbsfleet Valley, Swanscombe	3 bed End of terrace Brand new Chalkwood Developments EV charging point Smart tech including Bluetooth keys and fobs	Best Price Guide	£2,325	Correct location No car port Brand new Not a direct comparable
i. Colyer Drive, Ebbsfleet Valley, Swanscombe	3 bed Terrace Chalkwood Developments EV charging point Smart tech including Bluetooth keys and fobs	Best Price Guide	£2,325	Correct location, possible garage, but not a semi. Brand new Not a direct comparable

j. Colyer Drive, Ebbsfleet Valley, Swanscombe	3 bed Semi Award Winning Property Management Brand New Energy Efficient Homes WIFI Included and available upon move in EV Charging Point Smart Tech, including bluetooth keys and fobs Pet Friendly Homes Resident App Air Source Heat Pumps	Best Price Guide	£2,325	Marketed from 18 June – 25 June Now 'no longer advertised, not 'let agreed'. No evidence that this was rented or what the rental price was. Right location Right property Appears to be a brand new property Good comparable, but limited evidence on rent achieved.

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 carefully considered the comparable properties put forward by the parties. Relying on its own expertise and general knowledge of rental values in the area, together with the comparable evidence provided, the Tribunal considers that the market rent of the Property would be £2,300 pcm

23. This was because the Landlord's comparables relied heavily on the advertised price of brand new properties. The subject property is no

longer brand new, and if being rented to a new tenant, it would no longer command a new build premium.

24. The comparables referred to in the Landlord's MR2 are, to a degree, self-serving statements. The Landlord did not provide copies of any tenancy agreements to support its case. Therefore, the weight given to this evidence was reduced.

25. The comparables referred to the Tenant, were of limited use, as set out above.

26. From this level of rent, the Tribunal has made no adjustments because it is not satisfied that the issues raised by the Tenant (limited local amenities, noise from the nearby A2, restrictive radiator placements and a lack of built-in storage) would materially affect the market rent.

Undue hardship

27. The new rent takes effect from the date in the notice (as the old rules apply). In cases of undue hardship, the Tribunal has discretion to fix a later starting date.

28. 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. their household relied in part on Universal Credit

    b. they were caring for newborn twins as well as four children in total.

    c. Their monthly outgoings included childcare costs of approximately £260 and Council Tax of approximately £223.59.

    d. The Tenants contended that an increase in rent would place significant pressure on the family's finances and create a risk of rent arrears and housing insecurity. Supporting financial and family circumstances evidence was provided

29. The Tenants produced the following evidence:

    a. Universal Credit claim

    b. Childcare costs

    c. Council Tax.

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

31. The threshold for demonstrating undue hardship is high. The Tenant has produced some evidence to support their submissions. The evidence only relates to Nofidat Awoyemi's Universal Credit claim.

32. There was no evidence before the Tribunal regarding the income or financial circumstances of Opeyemi Akinboluwajo. The Tribunal was therefore unable to assess the household's overall financial position

33. In light of the lack of a financial breakdown for Opeyemi Akinboluwajo, the Tribunal cannot find financial hardship. The Tribunal is not satisfied on the balance of probabilities that the evidence demonstrates undue hardship within the meaning of section 14(7) of the Housing Act 1988. The Tribunal does not have sufficient evidence of the household's overall income and expenditure.

Decision

34. The Tribunal determines the market rent at £2,300 per calendar month with effect from 12 June 2026.

Name: Tribunal Judge Bowden **Date:** 09 November 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.