	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	CAM/22UF/MRA/2026/0035
Property	14 Cowell Avenue, Chelmsford CM1 2BY
Tenant	Abid Ali Sharmin Tariq
Landlord	Ian John Golder
Landlord's Address	6 Winchelsea Drive, Great Baddow, Chelmsford CM29TR
Landlord's Representative	Haart Estate Agents
Date of Application	20th July 2026
Type of Application	Determination of a Market Rent sections 13 & 14 Housing Act 1988
Tribunal Members	Judge Nicol Dr J Wilcox
Date of Decision	12th November 2026
Rent Determined	£1,450 pcm
Date the new rent takes effect	27th November 2026

© CROWN COPYRIGHT

REASONS FOR THE DECISION

Background

1. On 6th May 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,650 per calendar month (pcm) in place of the existing rent, said to be £1,300 pcm, to take effect from 27th July 2026.

2. On 20th July 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. He pointed out that the rent had been £1,400 pcm for the last two years, following an agreement to that effect between the parties.

3. The assured tenancy commenced on 27th August 2021 for a term of 12 months. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant

4. As per sections 9A to 11 of the Landlord and Tenant Act 1985.

Liability for Council Tax

5. The Tenant is responsible for the payment of Council Tax in respect of the Property. The rent determined is exclusive of Council Tax.

Determination

6. Neither party requested an oral hearing. The Tribunal has considered this case on the basis of an inspection, the papers provided by the parties and its own knowledge and specialist expertise.

The Property

7. The Tribunal carried out an inspection of the Property on 9th November 2026 in the presence of one of the tenants, Sharmin Tariq. The Landlord was notified of the inspection but did not attend.

8. The Property is a 2-storey end-terrace house, offering the following accommodation: 3 bedrooms, a living room, a kitchen, a bathroom, a downstairs WC, hallway, stairs and a garden with a brick outhouse and small gazebo. Unlike neighbouring properties, it has no car parking space due to its corner location.

9. The Tribunal observed that, although most of the windows were double-glazed, the majority of panels were blown, with condensation between the glazing, and there were sizeable gaps around the windows. The Tenants had installed seals but most were now in poor condition. None of the rooms had any mechanical ventilation.

Evidence

10. Both the Tenants and the Landlord provided written submissions. Neither party provided evidence of any comparable properties.

The Tenant

11. The Tenant made the following comments:

    The proposed rent of £1,650 per month is above the open market rent for this property in its current condition. The property is a three-bedroom, unfurnished house with no parking and an EPC rating of D. It has several defects that affect its rental value, including worn carpets, damp and mould, damaged ceilings, and single-glazed windows. I will provide photographs of these defects and evidence of comparable properties in the local area. I ask the Tribunal to determine the correct open market rent taking into account the property's present condition.

12. The Tribunal was able to confirm the contents of the Tenants' photos on inspection. As well as the blown windows and the defective seals, there were cracks around windows, holes in the plaster in one of the bedrooms and ceiling stains in the hallway and the kitchen. The stain in the hallway matched the location of mould on the bathroom floor on the first floor, apparently resulting from a leak to the toilet. The leak has been fixed but not these consequences.

13. The main problem was the windows which, due to their condition, provide minimal thermal insulation. As well as the condensation apparent on inspection, it is highly likely that the property is cold and difficult to heat throughout the heating season.

The Landlord

14. The Landlord sought to blame the Tenants for the condensation damp and the generally below-par condition and asked the Tribunal to inspect in order to confirm this. He pointed to the comprehensive inventory report which was done at around the start of the tenancy.

15. In fact, there was no evidence that the matters observed by the Tribunal were caused by the Tenants and, on the contrary, they were consistent with the

Tenants' complaints. The Landlord claimed that new carpets had been installed at the start of the tenancy but the inventory shows that they were already present and already subject to some wear and tear.

Determination and Valuation

16. Relying on its own expert, general knowledge of rental values in the area, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £1,600 pcm.

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

    a) General condition;
    b) The condition of the windows.

    The full valuation is shown below:

Starting Rent			£1,600 pcm
Less			
a)	Items given under a) above	£50	
b)	Items given under c) above	£100	£150
Market rent			£1,450 pcm

Undue hardship

18. The new rent takes effect from the next rental period unless that would cause undue hardship to the Tenants. In cases of undue hardship, the Tribunal has a discretion to fix a starting date up to two months later.

19. The Tenants complained that the full rent sought by the Landlord would cause undue hardship but did not present any evidence to establish this. Also, no submissions were made as to whether there would be undue hardship at a rent at around the level the Tribunal has now set.

Decision

20. Therefore, the Tribunal determines the market rent at £1,450 per calendar month with effect from 27th 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.