FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**HAV/29UD/MNR/2026/0203**
Property	**2 Ruby Court, 389 Princes Road, Dartford, DA1 1JR**
Tenant	**Samuel Eyo**
Landlord	**Heart of Medway Housing Association,**
Date of Application	**29 July 2026**
Type of Application	**Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Mr D Cotterell FRICS** **Ms S Johnson**
Date of Decision	**8 October 2026**
Rent Determined	**£920.00 per calendar month**
Date of Valuation	**25 July 2026**
Date the new rent takes effect	**25 July 2026**

REASONS FOR THE DECISION

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Background

1. On 17 June 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £920.00 per calendar month (pcm) in place of the existing rent of £732.20 pcm to take effect from 25 July 2026.

2. On 29 July 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 25 March 2020. The rental period is monthly.

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

4. In their application form, the Tenant has indicated that they consider the Landlord's notice is invalid because the notice proposes a commencement date of 25 July 2026, which is not the beginning of a period of the monthly tenancy, for which rent is payable on the first day of each month.

5. The Tribunal notes that the tenancy is held with a Registered Provider of Social Housing. The Tribunal further notes the Respondent's position that the provisions introduced by the Renters' Rights Act 2025 do not currently apply to this Intermediate Rent tenancy. In these proceedings, the Tribunal has no jurisdiction to determine the validity of the notice and proceeds on the basis of the notice served.

Allocation of Repairs between Landlord and Tenant.

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

Liability for Council Tax

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

Hearing

8. Neither party requested an oral hearing. The Tribunal has considered this case on the information provided in the papers provided by the parties and its own knowledge and specialist expertise.

The Property

9. The Property is a ground floor flat forming part of a modern purpose-built block, comprising a sitting room/kitchen, bedroom, and bathroom.

10. It is situated in a predominantly residential location to the south of Dartford's centre.

Evidence

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

The Tenant

12. The Tenant made the following comments:

    a. The property has a history of prolonged water ingress, damp, and mould, although remediated.
    b. The property is a standard one-bedroom housing association flat with a basic specification, an open-plan layout, and no garden or garage, and is not comparable to higher-specification market properties.

13. The Tenant did not provide comparable rental evidence.

The Landlord

14. The Landlord relies on a rental valuation of the property prepared by local agents (Freeman & Gray) at a rent of £1150.00 per month citing a range of comparable letting properties.

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. Relying on its own expertise and general knowledge of rental values in the area, together with the comparables provided by the Landlord, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £1100 pcm. This is the rent we would expect the property to let for in the open market at the valuation date and if it was in the same general condition as the comparable properties.

Decision

17. The Tribunal determines that the open market rent of the Property at the valuation date was £1,100.00 per calendar month.

18. 18. As the rent proposed by the Landlord is lower than the open market rent determined by the Tribunal, the Tribunal determines the rent payable under section 14 of the Housing Act 1988 at £920.00 per calendar month with effect from 25 July 2026.

Reimbursement of Fees

19. The Tribunal does not have the jurisdiction to order the Landlord to reimburse the Tenant's application fee of £47.00.

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.