



**FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER  
(RESIDENTIAL PROPERTY)**

**Case Reference** : **HAV/21UD/MNR/2024/0617**

**Property** : **18a Downs Road  
Hastings  
East Sussex  
TN34 2DX**

**Applicant Tenants** : **Ms J McKenzie and Mr A McKenzie**

**Representative** : **None**

**Respondent Landlord** : **Ms E Potter**

**Representative** : **Jack Charles Property Services Limited**

**Type of Application** : **Determination of a Market Rent sections  
13 & 14 of the Housing Act 1988**

**Tribunal Members** : **Mr I R Perry FRICS  
Mr S J Hodges FRICS**

**Date of Application** : **22<sup>nd</sup> October 2024**

**Date of Decision** : **19<sup>th</sup> December 2024**

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**DECISION**

**The Tribunal determines a rent of £930 per calendar month with effect from 26<sup>th</sup> October 2024.**

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## SUMMARY REASONS

### Background

1. On 18<sup>th</sup> September 2024 the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,050 per month in place of the existing rent of £875 per month to take effect from 26<sup>th</sup> October 2024.
2. On 22<sup>nd</sup> October 2024 under Section 13(4)(a) of the Housing Act 1988, the Tenants referred the Landlord's notice proposing a new rent to the Tribunal for determination of a market rent.

### Inspection

3. The Tribunal did not inspect the property but considered this case based on the papers provided by the parties and information freely available on the internet.

### Evidence

4. The Tribunal has considered the written submissions provided by the Tenant and the Landlord's Agent.

### Determination and Valuation

5. Having given consideration to the comparable evidence provided by the parties and of its own expert, general knowledge of rental values in the area, the Tribunal determines that the open market rent for the property in good tenable condition would be £1,100 per calendar month.
6. Such a tenancy would normally include white goods, carpets, curtains/blinds and associated fittings to all be provided by the Landlord.
7. In this case the property is not let in such condition or with white goods, carpets and curtains all supplied so some adjustments to the 'open market rent' are necessary. The Tribunal has made further reductions for the condition of the bathroom and for other general wants of repair including window handles as evidenced by photographs provided.
8. The full valuation is shown below:

Full open market rent in good condition	£1,100
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Less deductions for:-

Tenants' provision of flooring and curtains	£40
Tenants' provision of white goods	£30
Condition of bathroom	£50
Window locks and general repair	<u>£50</u>

Total deductions £170

TOTAL RENT PAYABLE PER MONTH £930

9. The Tribunal therefore decided that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under the terms of this assured tenancy and in its present condition was £930 per month.
10. The Tenant made no representation that the starting date for the new rent specified in the Landlord's notice would cause the Tenant undue hardship.
11. Accordingly, the Tribunal directed that the new rent of £930 per month should take effect from 26<sup>th</sup> October 2024, this being the date specified in the notice.

### **APPEAL PROVISIONS**

These summary reasons are provided to give the parties an indication as to how the Tribunal made its decision. If either party wishes to appeal this decision, they should first make a request for full reasons and the details of how to appeal will be set out in the full reasons. Any request for full reasons should be made within a month. Any subsequent application for permission to appeal should be made on Form RP PTA.