



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

Case Reference : **HAV/18UB/MNR/2024/0610**

Property : **2 Chestnut Crescent, Stoke Cannon,
Exeter, Devon, EX5 4AA**

Tenant : **LJ Dixon**

Landlord : **AR Tarrant**

Date of Objection : **1 October 2024**

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

Tribunal : **R Waterhouse FRICS
MJF Donaldson FRICS**

**Date of Summary
Reasons** : **26 November 2024**

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DECISION

**The Tribunal determines a rent of £1270.00 per month with effect
from 26 November 2024.**

SUMMARY REASONS

Background

1. On **25 September 2024** the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of **£1400.00 per month** in place of the existing rent of **£1250.00 per month** to take effect from **1 November 2024**.

2. On **1 October 2024** 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 **1 October 2024**.

Inspection

3. The Tribunal did not inspect the property but considered this case on the basis of the papers provided by the parties.

Evidence

4. The Tribunal has considered the written submissions provided by the Tenant and the Landlord. The Application Form from the Tenant stated the property is a four-bedroom house arranged over three floors. On the ground floor there is a kitchen, living room, dining room, cloakroom, and outside garden. On the first floor there are three double bedrooms, and a family bathroom. On the second floor a master bedroom, ensuite bathroom and study.

5. The Landlord's Reply Form noted she provided central heating, double glazing, carpets and cooker. The windows were replaced in 2021/23. The landlord supplied a comparable at £1500.00 per month.

6. The Tenant also completed a Reply Form, with photographs, showing signs of wear and tear, render falling off and damp patches.

7. The Tenant also noted the gas and electricity supply is shared with an adjacent annexe which is let out separately. The Landlord apportions the gas, and electricity bills and contributes £75 per month for the amount used by the annexe which she pays to the Tenant. The Tenant cited a comparable of £1250 per month for a 5-bedroom property.

Determination and Valuation

8. Having considered the comparable evidence provided by the parties and our own expert general knowledge of rental values in the area, we consider that the open market rent for the property in a good condition would be in the region of **£1450.00 per month**.

9. The property differs from a property in contemporary letting condition, the tenant providing the curtains and white goods and also features shared utilities. The tribunal makes a deduction of 12.5% to reflect these giving a rent of **£1250.00 per month**.

Decision

10. The Tribunal therefore determined that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under an assured tenancy was **£1270.00** per month. The tenant notes they are on benefits and that an increase in the rent would be difficult. The Tribunal considers this an expression of hardship and determines the date of increase to be date of the decision **26 November 2024**.

11. The Tribunal directs the new rent of **£1270.00 per month** to take effect on **26 November 2024**.

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.