



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

**Case Reference** : **HAV/00HG/MNR/2024/0606**

**Property** : **91 Priory Road, Plymouth, Devon,  
PL3 5EE**

**Tenant** : **K & M Domin**

**Landlord** : **K Nicholls**

**Date of Objection** : **23 September 2024**

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

**Tribunal** : **Mr R Waterhouse BSc MA LLM  
FRICS  
Mr MJF Donaldson FRICS**

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

© CROWN COPYRIGHT 2024

---

**DECISION**

**The Tribunal determines a rent of £1100.00 per calendar month  
with effect from 26 September 2024.**

---

## **SUMMARY REASONS**

### **Background**

1. On **23 August 2024** the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of **£1100.00 per month** in place of the existing rent of **£780.00 per month** to take effect from **26 September 2024**.

2. On **23 September 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 **23 September 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's Agents. The Application Form from the Tenant stated the property is a terraced house comprising one living room, one dining room, kitchen, a bathroom WC, on the ground floor. Two bedrooms on the first floor and an outside courtyard. Photographs of the property prior to the commencement of the tenancy show it in good condition. The tenants report condensation and mould and note that they have been keeping the windows shut in order to keep the heat in and reduce the bills.

### **Valuation**

5. 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 would be in the region of **£1100.00** per month. The Tribunal notes the presence of mould and considers this to be caused by not opening windows, particularly in cold periods, to let the moist air out, as an attempt to minimise the utility bills.

### **Decision**

6. 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 **£1100.00** per month.

7. The Tribunal directs the new rent of **£1100.00** per month to take effect on **26 September 2024**, this being the date as set out in the Landlord's Notice of Increase.

## **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.