



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

**Case Reference** : **CHI/18UE/MNR/2024/0138**

**Property** : **5 Priory Close  
Pilton  
Barnstaple  
Devon  
EX31 1QX**

**Applicant Tenant** : **Miss L Williams & Ms M Williams**

**Representative** : **None**

**Respondent Landlord** : **Mrs N Peace**

**Representative** : **Philips Smith & Dunn**

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

**Tribunal Members** : **Mr I R Perry FRICS  
Ms C D Barton MRICS**

**Date of Application** : **27<sup>th</sup> May 2024**

**Date of Decision** : **30<sup>th</sup> December 2024**

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**DECISION**

**The Tribunal determines a rent of £825 per calendar month with effect from 2<sup>nd</sup> July 2024.**

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**SUMMARY REASONS**

**Background**

1. On 16<sup>th</sup> May 2024 the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £875 in place of the existing rent of £825 per month to take effect from 2<sup>nd</sup> July 2024.
2. On 27<sup>th</sup> May 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 £925 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 a fridge and washing machine included, so some adjustments to the 'open market rent' are necessary. In particular the Tribunal has made the adjustments for Tenant's provision of fridge and washing machine, and a further adjustment to reflect general wants of repair including worn and damaged carpets, dated kitchen, some mould at first floor level, defective rear door, and broken meter box door.
8. The full valuation is shown below:

Full open market rent in good condition	£925
Less deductions for:-	
Tenant's provision of some white goods	£20
General wants of repair	£80
	_____
<b>TOTAL RENT PAYABLE PER MONTH</b>	<b>£825</b>

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 was £825 per month. This is the same as the present rent.
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 directs that the new rent of £825 per month should take effect from 2<sup>nd</sup> July 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.