



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

Case Reference : **HAV/45UD/F77/2025/0602**

Property : **1 Terwick Cottage, Rogate,
Petersfield, Hampshire GU31 5EG**

Tenant : **Mr Stephen Reed**

Landlord : **Area Estates Ltd c/o Hamways**

Date of Objection : **16 December 2024**

Type of Application : **Section 70, Rent Act 1977**

Tribunal : **Mr D Jagger MRICS
Ms C Barton MRICS**

Date of determination : **13 February 2025**

**Date of Summary
Reasons** : **13 February 2025**

DECISION

The sum of **£727.50** per month will be registered as the fair rent with effect from **13 February 2025** being the date the Tribunal made the Decision.

SUMMARY REASONS

Background

1. Following an objection from the Tenant to the determination of a fair rent by the Rent Officer, the Tribunal has made a determination under the provisions of the Rent Act 1977.

Evidence

2. The Tribunal has consideration of the Rent Officer's calculations. Both the Landlord and the Tenant completed the Rent Appeal Statements which have been taken fully into account. Neither party provided the Tribunal with any comparable evidence.

Inspection

3. The parties were satisfied for the Tribunal to make a determination based upon the submissions provided and therefore an inspection of the property was not undertaken.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the Rogate and Petersfield area. The Tribunal considers that an achievable rent for a similar four-roomed house in a good marketable condition with reasonably modern kitchen and bathroom fittings, modern services, central heating, carpets curtains and white goods provided by the Landlord would be **£1,300** per month.

5. From this level of rent we have made adjustments in relation to: no white goods, no carpets or curtains, evidence of damp and mould to the main walls, dated kitchen and bathroom fittings, poor configuration and size of the first floor rooms and the tenant's terms of the tenancy which equates to a deduction of approximately **40%**. It should be noted that this figure cannot be a simple arithmetical calculation and is not based upon capital costs but is the Tribunal's estimate of the amount by which the rent would need to be reduced to attract a tenant.

6. The Tribunal does not consider an adjustment for scarcity as it considers there is a balanced demand and supply of similar rental properties in the general area.

7. The calculation for the valuation is shown below:

Market Rent		£1,300 pm
<i>Less</i>	approx. 40%	£520
<i>Terms and condition</i>		
	<i>Leaves</i>	£780

8. **The Tribunal determines a rent of £780 per calendar month.**

Decision

9. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was **£780** per month. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at **£727.50** per calendar month. The calculation of the capped rent is shown on the decision form. In this case, the lower rent of **£727.50** per calendar month is to be registered as the fair rent for this property to take effect from the 13 February 2025 being the date the Tribunal made the Decision.

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 subsequent application for permission to appeal should be made on Form RP PTA