



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

**Case Reference** : **HAV/21UC/MNR/2024/0513**

**Property** : **Flat 4, Milton Grange  
6 Arundel Road  
Eastbourne  
East Sussex  
BN21 2EL**

**Applicant Tenant** : **Mr R Manning**

**Representative** : **None**

**Respondent Landlord** : **Ms E Beuzeval**

**Representative** : **Mr J Sibley  
Ginger & Sanders Property Rentals  
Limited**

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

**Tribunal Members** : **Mr J G G Wilson MRICS FCIArb  
Mr J Reichel MRICS  
Judge D Gethin**

**Date of Application** : **31 July 2024**

**Date of Decision** : **4 March 2025**

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**DECISION**

**The Tribunal determines a rent of £780 (Seven Hundred and Eighty Pounds) Per Calendar Month with effect from 1 September 2024.**

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## **SUMMARY REASONS**

### **Background**

1. On 31 July 2024 the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £925 per month in place of the existing rent of £740 per month ("Which takes into account Tribunal adjustments of £135 per month") to take effect from 1 September 2024.
2. On 29 August 2024 under Section 13(4) 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.

### **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. Pursuant to the Tribunal's Directions dated 8 January 2025, the Landlord's Agent (Mr J Sibley) submitted his Rent Appeal Statement on 21 January 2025; the same was copied to the Tenant the same day.
5. Mr Sibley's Statement includes: an outline description of the property (a ground floor, one-bedroom flat); an Energy performance certificate (EPC), Energy rating 'D' – date of assessment 5 December 2019; and a 'Mid Tenancy Property Inspection' report, dated 9 August 2024.
6. Mr Sibley says central heating is provided by the landlord and there are communal gardens. With respect to improvements, a new boiler was installed in 2017; for which a copy Certificate of Registration, dated 5 December 2017, is provided. As to disrepair and defects, during 2024 repairs were carried out to rectify damp penetration to the reception room, for which copy invoices are provided. Mr Sibley goes on to say "The landlord has made no recent upgrades to the bathroom and kitchen fittings."
7. Mr Sibley assesses the rental value of Flat 4 at £925 per calendar month and goes on to say "This figure is before taking into account any Tribunal abatements, which last year amounted to £135 per month."
8. There are six (6) comparable lettings' properties included in Mr Sibley's Statement which he has used to reach his opinion of the market rent of £925 per calendar month, before taking into account any abatements.
9. The range of rental values of the six, one-bedroom flats, all of which are in the vicinity is from £900 per calendar month to £1,025 per calendar month.
10. The Tenant has not given a Rent Appeal Statement, but informs in his Application to the Tribunal, as follows: (1) the property is described as a basement, one-bedroom flat; whereas there is no written tenancy agreement, it is stated to have

commenced on 1 August 1993; neither white goods, nor furniture are provided and "...all fixtures and fittings including caprpets [sic], linoleum, curtains etc provided and paid for by the tennant [sic]".

11. On improvements, Mr Manning says he fitted the kitchen, has carried out works to the kitchen floor and has installed additional radiators.

### **Determination and Valuation**

12. At paragraph 2 of the Landlord's Notice proposing a new rent it says "The landlord is proposing a new rent of £925.00 per month, in place of the existing one of £740.00 per month (WHICH TAKES INTO ACCOUNT TRIBUNAL ADJUSTMENTS OF £135.00 PER MONTH). Accordingly, the Tribunal understands the £925 per month proposed is Mr Sibley's assessment of the market rent of the property in good tenantable condition, before any adjustment for this assured tenancy is made; as opposed to the rent he proposes the Tenant is to pay.
13. Having considered what Mr Manning says in his Application to the Tribunal and the evidence of Mr Sibley in his Rent Appeal Statement and of its own expert, general knowledge of rental values in the area, the Tribunal determines that the market rent for the property in good tenantable condition is £950 (Nine Hundred and Fifty Pounds) Per Calendar Month.
14. Such a tenancy would normally include white goods, carpets, curtains/blinds and associated fittings, modern kitchen and bathroom equipment, all to be provided by the Landlord.
15. Mr Sibley has informed the Tribunal of various works the Landlord has carried out. The Tribunal has determined these works are those the Landlord is responsible for in any event.
16. In his Application, Mr Manning has given details of various works he has carried out, which are outlined at paragraphs 10 and 11 above. The Tenant is responsible for internal decorations only. Accordingly, some adjustments to the market rent are necessary.
17. The Tribunal's valuation is shown below:

Market rent in good condition (£ PCM)	£950
Less deductions (£ PCM) for:	
Tenant's provision of white goods	£30
Tenant's responsibility for internal decorations	£25
Tenant's provision of carpets and curtains	£40
Dated kitchen, bathroom and general repair	<u>£75</u>
	£170

Market rent (per calendar month)

£780

18. The Tribunal therefore decided that the rent at which the property might reasonably be expected to be let in the open market by a willing Landlord under the terms of this assured tenancy was £780 (Seven Hundred and Eighty Pounds) Per Calendar Month.
19. The Tenant has made no representation that the starting date for the new rent specified in the Landlord's notice would cause him undue hardship.
20. Accordingly, the Tribunal directs that the new rent of £780 Per Calendar Month should take effect from 1 September 2024. This being the date specified in the Landlord's Notice proposing a new rent.

### **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.