



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

Case Reference	:	HAV/40UD/MNR/2025/0600
Property	:	9 West Street Ilchester Somerset BA22 8NN
Applicant Tenants	:	Mr G Wills and Mrs P J Wills
Representative	:	None
Respondent Landlord	:	Bankway Properties Limited
Representative	:	Managing Agent - Savills
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	:	19 December 2024
Date of Decision	:	10 March 2025

DECISION

**The Tribunal determines a rent of £680 (Six Hundred and Eighty Pounds)
Per Calendar Month with effect from 6 January 2025.**

SUMMARY REASONS

Background

1. On 27 November 2024 the Landlord's Assistant Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £600 per month in place of the existing rent of £550 per month to take effect from 6 January 2025.
2. On 19 December 2024 under Section 13(4) 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. The Tribunal notes whereas the Tenants' Application is signed and dated 13 December 2024, it was sent to the Tribunal on 19 December 2024.

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.
4. 9 West Street is a two-storey terrace house with rendered façade and pitched tiled roof. The accommodation comprises: ground floor – living room, kitchen, utility room and outside WC; first floor – two bedrooms and one bathroom/WC. Outside – garden.

Evidence

5. Pursuant to the Tribunal's Directions dated 14 January 2025, the Landlord's Agent (Ms Katy Woodfine Oram) submitted her Rent Appeal Statement; the same was copied to the Tenants the same day.
6. Ms Woodfine Oram's Statement includes: an outline description of the property; a selection of photographs; and Ms Woodfine Oram says "The property is in good condition."
7. From Ms Woodfine Oram's Statement the Tribunal notes the property has double glazing, off-street parking and a private garden. Various works which the Landlord has carried out are outlined in the Statement; all of which the Tribunal notes are the responsibility of the Landlord.
8. Ms Woodfine Oram includes four (4) comparable lettings' properties to reach her opinion of the market rent of £925 per month; and goes on to make an adjustment (deduction) of 'say £150 per month bringing the rental level to £775 per month...'
9. The range of rental values of the four, two-bedroom houses, all of which are in Yeovil, is from £925 per calendar month to £1,025 per calendar month.
10. The Tenants have not given a Rent Appeal Statement, but inform the Tribunal in their Application in outline, as follows: (1) the accommodation is as stated by Ms Woodfine Oram; (2) whereas there is no written agreement, their tenancy is an

assured agricultural occupancy; (3) and they have carried out various works of improvement and repairs, which are outlined below.

11. The Tenants' improvements and repairs: (1) night storage heating and a heater in the bathroom; (2) curtain tracks and poles; (3) works to the airing and larder cupboards; (4) insulation in the attic; (5) works to internal doors; and (6) upgraded the bathroom and re-installed the external WC.

Determination and Valuation

12. Having considered what the Tenants say in their Application to the Tribunal and the evidence of Ms Woodfine Oram in her 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 £900 (Nine Hundred Pounds) Per Calendar Month.
13. Such a tenancy would normally include white goods, central heating, carpets, curtains/blinds and associated fittings, all to be provided by the Landlord.
14. Ms Woodfine Oram has informed the Tribunal of various works the Landlords have carried out. The Tribunal has determined these works are those the Landlords are responsible for in any event.
15. In their Application, the Tenants have given details of various works they have carried out, which are outlined at paragraph 10 above. The Tenants are responsible for internal decorations (fair wear and tear excepted) only. Accordingly, some adjustments to the market rent are necessary.
16. The Tribunal's valuation is shown below:

Market rent in good condition (£ PCM)	£900
Less deductions (£ PCM) for:	
No central heating and poor insulation	£75
Tenants' liability for internal decorations	£25
Tenants' provision of carpets and curtains	£40
Tenants' upgrade of bathroom fittings	£40
General works of improvement and repairs	£10
Tenants' provision of white goods	<u>£30</u>
	<u>£220</u>
Market rent (per calendar month)	£680

17. 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 agricultural occupancy tenancy was £680 (Six Hundred and Eighty Pounds) Per Calendar Month.
18. The Tenants made no representation that the starting date for the new rent specified in the Landlord's notice would cause them undue hardship.

19. Accordingly, the Tribunal directs that the new rent of £680 Per Calendar Month should take effect from 6 January 2025. This being the date specified in the Landlord's Notice proposing a new rent.
20. The new rent is higher than the sum of £600 per month sought by the Landlord in their Notice. It is at the Landlord's discretion whether to seek in payment from their Tenants the Tribunal's decision, or that sum which was applied for in their 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.