



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

Case Reference : **BIR/17UH/MNR/2024/0645**

Property : **19 Compton Road Buxton Derbyshire SK17 9DN**

Tenant : **Mr M Fromow**

Landlord : **Northumberland & Durham
Property Trust Ltd**

Landlord's agent : **Grainger plc**

Date of application : **10th December 2024**

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

Tribunal Members : **Mr G S Freckelton FRICS
Mrs K Bentley**

Date of Decision : **2nd July 2025**

DECISION

The Tribunal determines a rent of £145.00 per week with effect from 2nd July 2025.

REASONS FOR THE DECISION

Background

1. On 17th October 2024 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £145.00 per week in place of the existing rent of £132.00 to take effect from 13th December 2024.
2. On 10th December 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.

Inspection

3. The Tribunal did inspect the property which comprises a semi-detached house having an entrance hall with cloaks cupboard off, lounge, dining room and kitchen with pantry off. On the first floor the landing leads to three bedrooms and bathroom being fitted with a bath and wash hand basin. There is a separate WC with low level suite. The property has double glazed windows and front door. There is no central heating.
4. There are overgrown gardens to both front and rear. To the side is a garage in need of extensive repair/rebuilding.
5. The general condition of the property is poor.

Evidence

6. The Tribunal has considered the written submissions provided by the Tenant.
7. The Tenant submits that there are the following defects in the property:
 - a) The fireplaces in the lounge, dining room, kitchen and bedroom are unusable.
 - b) There is rot above the bay windows to the lounge and dining room
 - c) The kitchen needs refitting.
 - d) Areas of the ceiling has fallen in to Bedroom1 and Bedroom 2.
 - e) There are numerous cracks to ceilings and walls throughout the property.
 - f) The bathroom is dated and requires refitting.
 - g) The garage and coal store require replacement.
 - h) The gutters require repair/replacement.
 - i) The roof requires overhauling.
 - j) The front porch is rotten and collapsing.
 - k) Internal doors require replacement/adjustment as many do not open/close properly.
 - l) There is evidence of undue springiness to the suspended ground floors.
8. Having inspected the property, the Tribunal agrees with the Tenant's submissions.
9. Neither the Landlord or tenant provided any comparable evidence to assist the Tribunal.

Determination and Valuation

10. Having considered the comparable evidence proved by the parties and of our own expert, knowledge of rental values in the area, we consider that the open market rent for the property in good tenable condition would be in the region of £300.00 per week. From this level of rent we have made adjustments in relation to:

- a) The condition of the property detailed above.
- b) Curtains, carpets and white goods fitted by the Tenant.
- c) Tenant decorating liability

11. The full valuation is shown below:

Market Rent		£325.00
<u>Less</u>		
a) Items given under a) above	£140.00	
b) Items given under b) above	£ 25.00	
c) Tenant decorating liability @5%	£ 15.00	
	<u>£180.00</u>	
		<u>£180.00</u>
	Say	£145.00 per week

Decision

12. 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 to a willing tenant under an assured tenancy was £145.00 per week with effect from 2nd July 2025.

Hardship

13. The Tenant raises hardship in their submissions. Accordingly, the Tribunal directs the new rent of £145.00 per week is to take effect from 2nd July 2025, being the date of the Tribunal's determination, rather than the date on the Landlords Notice of Increase.

Chairman: G S Freckelton FRICS

Date: 2nd July 2025

APPEAL PROVISIONS

If either party is dissatisfied with this decision, they may apply for permission to appeal to the Upper Tribunal (Lands Chamber) **on any point of law arising from this Decision**. Prior to making such an appeal, an application must be made, in writing, to this Tribunal for permission to appeal. Any such application must be made within 28 days of the issue of this statement of reasons (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013) stating the grounds upon which it is intended to rely in the appeal.

Notice of the Tribunal Decision and Register of Rents under Assured Periodic Tenancies (Section 14 Determination)

Housing Act 1988 Section 14

Address of Premises

19 Compton Road
Buxton
Derbyshire
SK17 9DN

The Tribunal members were

Mr G S Freckelton FRICS
Mrs K Bentley

Landlord

Northumberland & Durham Property Trust

Address

c/o Agent: Grainger
St John's House
Barrington Road
Altrincham
WA14 1TJ

Tenant

Mr M Fromow

1. The rent is:

£145.00

Per

Week

(excluding water rates and council
tax but including any amounts in
paras 3)

2. The date the decision takes effect is:

2nd July 2025

3. The amount included for services is/is not applicable

N/A

Per

4. Date assured tenancy commenced

2008 (By succession)

5. Length of the term or rental period

N/A

6. Allocation of liability for repairs

Landlord and Tenant Act 1985

7. Furniture provided by landlord or superior landlord

None

8. Description of premises

A semi-detached house comprising entrance hall with cloaks off, lounge, dining room, kitchen with pantry. On the first floor are three bedrooms and bathroom with separate WC. Double glazing. No central heating. Gardens to front and rear. Garage and store (in poor condition)

Chairman

Date of Decision