



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

Case Reference	:	BIR/47UC/MNR/2024/0095
Property	:	Room 1, 13 Vernon Park Road, Worcester, WR2 4NF
Applicants	:	Hadrian Charles Frederick Teasdale
Respondent	:	Trinity Housing Association
Type of Application	:	Appeal against a Notice proposing a new rent under an Assured Periodic Tenancy under section 13(4) of the Housing Act 1988
Tribunal Members	:	I.D. Humphries B.Sc.(Est.Man.) FRICS D. Satchwell FRICS
Date and Venue of Hearing	:	N/A. Paper determination.
Date of Decision	:	10 July 2025

REASONS

- 1 The rent is determined at £364.82 (Three Hundred and Sixty Four Pounds Eighty Two pence) per week with effect from 1 April 2024.

REASONS

Introduction

- 2 The tenant, Hadrian Charles Frederick Teasdale, took occupation of Room 1, 13 Vernon Park Road, Worcester, WR2 4NF, on 10 July 2017. At the time he moved in, he signed a draft Tenancy Agreement with Trinity Housing Association but as far as the Tribunal is able to ascertain there has never been a signed completed agreement between the parties or if there is, it has not been provided to the Tribunal despite numerous requests.
- 3 On 15 February 2024 the landlord served notice of increase under section 13(2) of The Housing Act 1988 proposing a rent increase from £411.08 per month to £453.52 per week from 1 April 2024. The proposed rent included services.
- 4 On 30 March 2024 the tenant applied to the First-tier Tribunal (Property Chamber) to determine the rent.
- 5 The Tribunal issued Directions on 2 April 2024.
- 6 A Tribunal was convened on 16 July 2024 but was unable to determine the rent due to lack of information from the parties. The Tribunal wrote to the parties on several occasions requesting further details of exactly what services were provided, the extent of demise and other relevant information but have only received further copies of the draft tenancy agreement and a list of costs apparently forming part of the agreement, received from the Respondent landlord on 24 March 2025.
- 7 The Tribunal has therefore considered the information before it and finds as follows.

The Law

- 8 Section 14 of The Housing Act 1988 states:

'(1) Where, under subsection (4)(a) of section 13 above, a tenant refers to a rent assessment committee a notice under subsection (2) of that section, the committee shall determine the rent at which, subject to subsections (2) and (4) below, the committee consider that the dwelling-house concerned might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy -

- (a) which is a periodic tenancy having the same periods as those of the tenancy to which the notice relates;*
- (b) which begins at the beginning of the new period specified in the notice;*
- (c) the terms of which (other than relating to the amount of the rent) are the same as those of the tenancy to which the notice relates;...'*

'(2) In making a determination under this section, there shall be disregarded -

- (a) any effect on the rent attributable to the granting of a tenancy to a sitting tenant;*
- (b) any increase in the value of the dwelling-house attributable to a relevant improvement carried out by a person who at the time it was carried out was the tenant, if the improvement-*

(i) *was carried out otherwise than in pursuance of an obligation to the immediate landlord ...*

- 9 The jurisdiction of the Rent Assessment Committee was transferred to the First-tier Tribunal (Property Chamber) on 1 July 2013.
- 10 Although the parties have been unable to provide an executed completed Tenancy Agreement, sufficient information has been provided evidenced by the parties' actions to show that the tenant has an Assured Tenancy, even if not expressly granted by written agreement. Accordingly, the Tribunal is able to determine the rent.
- 11 The charge proposed by the landlord from 1 April 2024 was £453.52 per week, of which £258.51 was rent for the accommodation and the balance represented service charges under various headings:
- enhanced housing management services,
 - sinking fund
 - landlord's building insurance
 - health and safety
 - maintenance and repairs
 - management overheads
 - voids on rent
 - gardening and ground maintenance
 - window cleaning
 - white goods
 - management overheads
 - council tax
 - personal fuel
 - water rates.

Facts Found

- 12 The Tribunal has not inspected the property and reached its Decision based on written information provided by the parties and views of the house on Google Streetview.
- 13 The property is a two storey, semi-detached, Victorian brick and slate house in a pleasant residential part of Worcester. It has a forecourt to the front providing off-road parking for a car which is shared by the tenants. The house has four bedrooms let to tenants needing support. It is understood that each tenant has their own room and shared use of the common parts, kitchen and bathroom.
- 14 According to the Application, the demise is known as Room 1. It has central heating, carpets and curtains but no double glazing.
- 15 Neither party requested a Hearing.

Submissions

- 16 The Applicant's Submission
The Application was made by Hadrian Teasdale who was appointed Deputy for the Applicant, Hadrian Charles Frederick Teasdale, by the Court of Protection.
- 17 Mr Teasdale's main concerns were the level of rent, the level of sinking fund and whether the charges for 'personal fuel' were reasonable. No comparisons were provided.

18 The Respondent's Submission

The Respondent sent a copy of the draft 2017 Tenancy Agreement and list of items with pricing in a service charge budget, but no Submission.

Decision

19 The Tribunal has given the parties ample opportunity to clarify exactly what level of services have been provided but it has not been forthcoming. We therefore find the amount under the Act based on the limited information provided.

20 This is supported accommodation and the Tribunal is aware of the demand and limited supply in the area. The landlord's budget itemised rent at £258.51 / week compared with £240.03 / week at 1 April 2023 and bearing in mind that it includes both a bedroom and shared accommodation, we consider it to be at or around a reasonable sum. We determine the rental element at £250.00 / week with effect from 1 April 2024.

21 Further, rents in the private letting market are normally quoted on the basis that tenants pay for their own Council Tax, gas, water and electricity, and with no evidence to show the landlord's costs are unreasonable, we agree the budgeted sums:

Council Tax	£ 4.34
Personal Fuel	£50.95
Water Rates	£ 2.50

22 As this is supported accommodation, we also agree the cost of 'enhanced housing management services' and overheads for providing those services:

enhanced housing management services	£25.31
management overheads	£31.72

23 The sums we find as reasonable charges additional to the rent are those listed in paragraphs 19 and 20 above, i.e. £114.82 / week.

24 We find the costs of all other items in the landlord's budget to be normally incurred by commercial landlords and reflected in the rent of furnished accommodation. If not provided, the rental value of the rooms would be less.

25 The weekly rental value of Room 1 is therefore the 'rent' of £250.00 plus £114.82, i.e. £364.82 per week including the services listed in paragraphs 19 and 20 above.

26 In summary, we determine the Market Rent for the purpose of section 14 of the Housing Act 1988 to be £364.82 (Three Hundred and Sixty Four Pounds Eighty Two Pence) per week with effect from 1 April 2024.

I.D. Humphries B.Sc.(Est.Man.) FRICS
Chairman

Appeal

In accordance with section 11 of the Tribunals, Courts and Enforcement Act 2007 and rule 21 of the Tribunal Procedure (Upper Tribunal) (Lands Chamber) Rules 2010, the Tenant / respondent may make further application for permission to appeal to the Upper Tribunal (Lands Chamber) on a point of law only. Such application must be made in writing and received by the Upper Tribunal (Lands Chamber) no later than 28 days after the date on which the First-tier Tribunal sent notice of this refusal to the

party applying for permission to appeal. Where possible, you should send your further application for permission to appeal by email to Lands@justice.gov.uk, as this will enable the Upper Tribunal (Lands Chamber) to deal with it more efficiently.

Alternatively, the Upper Tribunal (Lands Chamber) may be contacted at: 5th Floor, Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL (tel: 020 7612 9710).