



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

Case Reference : **HAV/00HE/F77/2025/0607**

Property : **33 Tehidy Road
Camborne
TR14 8TD**

Tenant : **Mrs C Adams**

Representative : **None**

Landlord : **Mr H Tolui**

Representative : **None**

Type of Application : **Section 70 Rent Act 1977 (“the Act”)
Determination by the First-Tier Tribunal
of the fair rent of a property following an
objection to the rent registered by the
Rent Officer.**

Tribunal Members : **Mr W H Gater FRICS
Mr M C Woodrow MRICS**

Date of Hearing : **29 May 2025**

Date of Decision : **29 May 2025**

DECISION

The Tribunal determines a rent of £800 per with effect from 29 May 2025.

Background

1. On 4th November 2024 the Rent Officer received an application by the Landlord for the registration of a new rent for the property in accordance with Section 70 of the Rent Act 1977.
2. The rent was previously registered at £710 per calendar month on 19th December 2022 following a determination by the Rent Officer.
3. On 19th December 2024 the Rent Officer registered a new rent of £788 per calendar month to take effect from 19th December 2024.
4. On 16th January 2025 the Landlord objected to this new rent and the matter was referred to the First-tier Tribunal Property Chamber (Residential Property), formerly a Rent Assessment Committee.

Inspection

5. The Tribunal inspected the property on 29 May 2025 in the presence of the Landlord and Tenant.
6. The Tribunal noted that the property comprises a semi-detached house built in the 19th century and constructed with stone and rendered walls. The main roof is pitched and slated and later rear additions have corrugated asbestos and polycarbonate pitched roofs.
7. The accommodation comprises: -

Ground Floor: Entrance Hall, Living room, rear Dining area and Kitchen in lean to additions. Small lobby with WC off dining area.

First Floor: Split landing with low height. 3 bedrooms. Bathroom with bath and wash basin only.

Outside lawned open plan front garden. Access to rear shared with neighbour. Raised back garden with retaining wall at rear.

The property has partial double glazing and is heated principally by night storage heaters.

Hearing

8. The case was listed for hearing at Truro Magistrates Court. At the inspection the Tenant indicated that she was unable to travel to Truro to take part. After a brief adjournment the Tribunal determined, with the agreement of the parties, that in the interests of justice it could hear the case at the property.

Evidence

9. The Tribunal has considered the oral and written submissions provided by both the Tenant and the Landlord. It has also examined information freely available on the internet.

10. The Landlord indicated that the registered rent was too low and referred to comparables provided. He considered that improvements were carried out between 2018 and 2021 in the form of re-rendering the flank wall, repairs to the rear garden retaining wall, installing plastic fittings in the bathroom to replace lead and repairing a leak over the rear porch lintel. He felt that these increased the rental value. He considered there was no scarcity of similar properties to rent and cited comparables.
11. The Tenant stated that the house needs modernisation, a WC on the first floor, better natural lighting in parts and rewiring.

Determination and Valuation

12. Having consideration to the comparable evidence provided and of our own expert general knowledge of rental values in the area, we consider that the open market rent for the property in good tenantable condition would be £1,300 per calendar month.
13. The Tribunal went on to consider allowances to reflect differences between this property and average properties of this type.
14. The Tribunal noted that the property has physical limitations in headroom largely due to the layout of the structure and parts being in rear additions with walls of single-skin thickness under either polycarbonate or corrugated asbestos roofs. The lack of a first floor WC was also considered. We consider that these matters should be reflected in an initial adjustment of market rent to £1,125 per calendar month.
15. Such a tenancy would normally include white goods, carpets and curtains/blinds to all be provided by the Landlord and the Landlord would also be responsible for internal repair and decoration.
16. In this case the property is not let in such condition or with white goods, carpets and curtains all supplied so some adjustments to the 'open market rent' are necessary. The Tribunal has also made adjustments for the Tenant's responsibility for internal decoration, the lack of central heating, aged electrical installation, poor insulation of parts of the structure and the dated kitchen and bathroom fittings
17. The Tribunal noted the number of properties with similar accommodation within a reasonable distance of the property that are available to rent and decided that no deduction for scarcity should be made.
18. The full valuation is shown below:

Full open market rent in good condition	£1,300
Adjusted for physical layout, ceiling height, lean-to additions as above	£1,125
Less deductions for:-	
Tenants' liability for internal decoration	£40
Tenant's provision of white goods	£30
Tenant's provision of carpets and curtains	£40

Limited heating / lack of central heating	£40
Lean-to additions, limited insulation	£50
Dated kitchen bathroom and wc	£100
Dated electrical installation	£25

Total deduction per month	£325
TOTAL RENT PAYABLE PER MONTH	£800

19. Having made the adjustments indicated above, the Fair Rent determined by the Tribunal for the purpose of section 70 of the Rent Act 1977 is £800 per calendar month.
20. The Section 70 Fair Rent determined by the Tribunal is below the maximum fair rent of £814.50 per calendar month permitted by the Rent Acts (Maximum Fair Rent) Order 1999, details of which are shown on the rear of the Decision Notice, and accordingly we determine that the limit set by the Order does not apply in this case.

Right to appeal

1. A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application to the First-tier Tribunal at the Regional Office, which has been dealing with the case.
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
3. If the person wishing to appeal does not comply with the 28 day time limit, that person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28 day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.
4. The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.

