



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

Case Reference : **BIR/44UF/F77/2025/0008**

Property : **27 Bridge Street
Kenilworth
CV8 1BP**

Tenant : **Mr & Mrs R Habbits**

Landlord : **Mrs A Fox**

Date of Objection : **21st November 2024**

Type of Application : **Section 70 Rent Act 1977**

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

Date of Decision : **7th August 2025**

Date of issue : **8th September 2025**

DECISION

**The sum of £156.00 per week will be registered as the fair rent with effect from
7th August 2025 being the date the Tribunal made the Decision**

REASONS FOR THE DECISION

Background

1. Following an objection from the Landlord to the determination of a fair rent by the Rent Officer, the Tribunal has made a determination under the provisions of the Rent Act 1977.

Inspection

2. The Tribunal did not inspect the property but considered this case on the basis of the papers provided by the parties and having regard to its own knowledge, expertise and online research. Based on the information provided the Tribunal understands that the property comprises of a town house with one living room and kitchen on the ground floor. On the first floor the landing leads to two bedrooms and shower room fitted with a three-piece sanitary suite. The house has gas fired central heating and double glazing. There is a garden, car space and garage.

Evidence

3. A remote video hearing was held and attended by the landlord. Submissions were also made both in writing by the landlord. The tenant made no written submissions and did not attend the hearing.
4. The landlord submitted that:
 - a) Carpets, curtains and white goods were provided by the tenant.
 - b) That since the previous Registration of rent the rear garden had been re-laid.
 - c) In October 2024 a new step was built.
 - d) That the adjacent property, having a similar layout was let in February 2025 for £1,275.00 per month.
5. The landlord submitted numerous photographs of the property which indicated that it was an attractive house, well maintained by both the landlord and tenant.
6. The Tribunal understands based on the Rent Officers notes that the tenants have carried out various repairs and improvements as detailed in paragraph 9.

Determination and Valuation

8. On consideration of the comparable evidence proved by the parties, that forwarded by the Rent Officer and the Tribunal's own expert knowledge of rental values in the area, the Tribunal considers that the open market rent for the property in a satisfactory condition would be in the region of £295.00 per week.

9. From this level of rent, the Tribunal has made adjustments in relation to the following to reflect improvements by the tenant:

a) Fitted Kitchen	11.00
b) Replace the shower room suite	5.00
c) Fit an electric fire in the living room	2.00
d) Replaced all the internal doors	8.00
e) Fitted laminate flooring and carpets	8.00
f) Fitted wardrobes	1.00
g) Provided curtains and white goods	7.00
h) <u>Replaced fencing and provided a shed</u>	<u>4.00</u>
Total	£46.00
<u>Plus: tenants decorating liability (5%)</u>	<u>£15.00</u>
Total deductions	£61.00

10. The Tribunal has also considered the question of scarcity using their own general knowledge and experience. The Tribunal considers that in the wider geographical area there is not an imbalance of supply and demand impacting on rental values and has, therefore, not made a reduction for scarcity.

11. The full valuation is shown below:

Market Rent	£295.00
<u>Less</u>	
<u>Items given in paragraph 9 above</u>	<u>£ 61.00</u>
Rent	£234.00

12. The Tribunal determines an uncapped rent of £234.00 per week.

Decision

11. The uncapped fair rent determined by the Tribunal, for the purposes of section 70, is therefore £234.00 per week from 7th August 2025. The maximum fair rent permitted by the Rent Acts (Maximum Fair Rent) Order 1999 is £156.00 per week. This therefore limits the Fair Rent to be registered because it is above the Maximum Fair Rent of £156.00 per week prescribed by the Order. The calculation of the capped rent is shown on the decision form.

Chairman: G S Freckelton FRICS

Date: 9th 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

Rent Act 1977 Schedule 11

Address of Premises

27 Bridge Street
Kenilworth
CV8 1BP

The Tribunal members were

Mr G S Freckelton FRICS
Mrs K Bentley

Landlord

Mrs A Fox

Tenant

Mr & Mrs R Habbits

1. The fair rent is

£156.00

Per

week

(excluding water rates and council tax
but including any amounts in paras
3&4)

2. The effective date is

7th August 2025

3. The amount for services is

N/A

Per

-

4. The amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance is

N/A

Per

-

5. The rent is not to be registered as variable.

6. The capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 apply (please see calculation overleaf).

7. Details (other than rent) where different from Rent Register entry

8. For information only:

The fair rent to be registered is limited by the Rent Acts (Maximum Fair Rent) Order 1999, because it is above the maximum fair rent of £156.00 permitted by the Order.

Chairman

G S Freckelton FRICS

Date of decision

7th August 2025

MAXIMUM FAIR RENT CALCULATION

LATEST RPI FIGURE		X	404.5		
PREVIOUS RPI FIGURE		Y	360.3		
X	404.5	Minus Y	360.3	= (A)	44.2
(A)	44.2	Divided by Y	360.3	= (B)	0.1226

First application for re-registration since 1 February 1999 ~~YES/NO~~

If yes (B) plus 1.075 = (C)

If no (B) plus 1.05 = (C)	1.1726
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Last registered rent*	£133.00	Multiplied by (C) =	£155.95
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***(exclusive of any variable service charge)**

Rounded up to nearest 50p =	£156.00
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Variable service charge	NO
If YES add amount for services	

MAXIMUM FAIR RENT =	£156.00	Per	Week
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Explanatory Note

1. The calculation of the maximum fair rent, in accordance with the formula contained in the Order, is set out above.
2. In summary, the formula provides for the maximum fair rent to be calculated by:

- (a) increasing the previous registered rent by the percentage change in the retail price index (the RPI) since the date of that earlier registration and
- (b) adding a further 7.5% (if the present application was the first since 1 February 1999) or 5% (if it is a second or subsequent application since that date).

A 7.5% increase is represented, in the calculation set out above, by the addition of 1.075 to (B) and an increase of 5% is represented by the addition of 1.05 to (B).

The result is rounded up to the nearest 50 pence.

3. For the purposes of the calculation the latest RPI figure (x) is that published in the calendar month immediately before the month in which the Tribunal's fair rent determination was made.
4. The process differs where the tenancy agreement contains a variable service charge and the rent is to be registered as variable under section 71(4) of the Rent Act 1977. In such a case the variable service charge is removed before applying the formula. When the amount determined by the application of the formula is ascertained the service charge is then added to that sum in order to produce the maximum fair rent.