



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

Case Reference : **BIR/00CN/MNR/2025/0628**

Property : **Flat 1, 7 Watson Street Burton upon Trent
DE14 3AH**

Tenant : **Christopher McCormack**

Landlord : **Mr & Mrs Stone**

Landlord's agent : **Nicholas Humphreys**

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

Tribunal Members : **V Ward BSc Hons FRICS
Judge David R Salter**

Date of Decision : **15 August 2025**

Date of Issue : **08 September 2025**

DECISION

**The Tribunal determines a rent of £440.00 per calendar month with
effect from 17 February 2025.**

REASONS FOR THE DECISION

Background

1. On 14 January 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 (“the Act”) which proposed a new rent of £450.00 per calendar month (pcm), in place of the existing rent of £400.00 pcm, to take effect from 17 February 2025. The original tenancy commenced in June 2006.
2. By an application received on 10 February 2025, under Section 13(4)(a) of the Act, the Tenant referred the Landlord’s notice proposing a new rent to the Tribunal for determination of a market rent.

Inspection

3. The Tribunal has not carried out an inspection of the Property. Neither party requested an oral hearing. Accordingly, the Tribunal has considered this case on the basis of the papers provided by the parties and having regard to its own knowledge, expertise and online research.

The Property

4. Both the Tenant and the Landlord returned the Tribunal’s Reply forms. These combined with the Tribunal’s own research, confirmed essential details of the Property as a ground floor flat, formed as a conversion out of a terraced house, offering the following accommodation which benefits from central heating and double glazing.

GF Living room, bedroom, kitchen and bathroom.

The Property is situated just to the south of Burton on Trent town centre and within walking distance of the same.

The Tenant indicated that the Landlord provided carpets to the Property whilst they provided the white goods with the exception of the cooker.

Evidence

The Tenant

5. The Tenant’s submissions explained that they had occupied the Property since 2006 and for the earlier part of their tenure, the condition of the property was poor. They themselves had purchased the washing machine and in 2019, replaced the

bath at their own expense. Continuing, the Tenant indicated that following the purchase of the Property by the current Landlord in 2020, the Property has undergone multiple improvements, some of which were at the suggestion of the Local Authority. However, in summary there are still issues with the Property and whilst many of these are cosmetic, the following are outstanding:

- Leaking Guttering
- Condensation. The Landlord has provided a dehumidifier as a temporary solution for this problem.

The Tenant had provided some photographs however there was no background given as to what parts of the Property these related to and also whether there were taken before or after the improvements were carried out.

6. In respect of the rent, the Tenant stated that the proposed increase amounts to “£600.00 per annum” without any improvement to the quality of the Property or services provided by the Letting Agency. The Tenant concludes by saying that the total rent for the building is higher than that on average for a similar Property in the area.
7. The Tenant provided very brief details of two other properties as comparable evidence. One was a one-bedroom flat in Normanton offered at £425.00 pcm whilst the other a one-bedroom flat above a shop in another part of the town at £395.00 pcm. An extract from what appeared to be a local authority guidance on the cost of private renting was also provided which gave the cost of a one-bedroom home at between £350.00 to £480.00 pcm.

The Landlord

8. The Landlord confirmed that since 2020, they had carried out many improvements including the following:
 - New windows and doors.
 - New bathroom.
 - New floor coverings.
 - Redecoration

Invoices were provided in respect of some items. The Landlord had also provided some photographs however these also gave no background as to whether they were taken before or after the improvements were carried out.

9. In respect of the rent, the Landlord stated that the proposed increase would only be the second increase in 5 years and further, over 19 years, the rent had only increased by £125.00 pcm.

Determination and Valuation

10. The Tribunal would initially state that the pattern of, and previous increases in rental, are not relevant in its determination of the market rent.
11. Of the comparables provided by the Tenant, the Tribunal notes that the Normanton property is located over 10 miles away whilst the other appears to be situated over a shop, neither are therefore particularly useful. Relying on its own expert, general knowledge of rental values in the area, the Tribunal considers that the majority of achieved rentals appear to be in the order of £500.00 to £595.00 pcm for this type of Property. There is evidence of rentals over £600.00 pcm but many of these appears to relate to purpose built properties some with their own parking areas. Considering the Property's location on a street of terraced housing in a town centre location, the Tribunal adopts, as a starting point, the rental of £500.00 pcm for the Property.
12. From this level of rent, the Tribunal has made adjustments in relation to the following:
 - a) Condition – as identified by the Tenant above.
 - b) White goods as provided by the Tenant.
 - c) Tenant's decorating liability at 5%.

The full valuation is shown below:

Market Rent	pcm
	<u>£500.00</u>
<u>Less</u>	
a) Items given under a) above	£25.00
b) Items given under b) above	£10.00
c) Items given under c) above	£25.00
	£60.00
Say	<u>£440.00</u>

Decision

12. Therefore, the Tribunal determines the market rent at £440.00 with effect from 17 February 2025.

Chairman: V Ward

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

Flat 1, 7 Watson Street
Burton upon Trent DE14 3AH

The Tribunal members were.

V Ward BSc Hons FRICS
Judge D R Salter

Landlord

Mr & Mrs Watson

Address

Tenant

Christopher McCormack

1. The rent is:

£440.00

Per

month

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

2. The date the decision takes effect is:

17 February 2025

3. The amount included for services is not
applicable

Per

4. Date assured tenancy commenced

June 2006

5. Length of the term or rental period

Monthly

6. Allocation of liability for repairs

Landlord and Tenant Act 1985

7. Furniture provided by landlord or superior landlord

8. Description of premises

Flat with 1 bedroom

Chairman

V Ward

Date of Decision

15 August 2025