



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

Case Reference : **HAV/18UH/MNR/2025/0756**

Property : **Lower Aish Cottage, Poundsgate,
Newton Abbot, Devon, TQ13 7NY**

Applicant Tenant : **Mr Mark Wilkinson**

Representative :

Respondent Landlord : **Ms Sonja Tewes**

Representative :

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

Tribunal Members : **Judge C Skinner
Regional Surveyor J Coupe FRICS
Miss C Barton MRICS**

Date of Application : **13th August 2025**

Date of Decision : **9th October 2025**

DECISION

**The Tribunal determines a rent of £722.50 per calendar month with effect
from 17th August 2025.**

SUMMARY REASONS

Background

1. On 15 July 2025 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £800 per month in place of the existing rent of £600 per month to take effect from 17th August 2025.
2. On 13th August 2025 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. The Tenant's referral was received by the Tribunal on 13 August 2025.

Inspection

3. The Tribunal did not inspect the property but considered this case based on the papers provided by the parties and information freely available on the internet.

Evidence

4. The Tribunal has considered the written submissions provided by the Tenant and the Landlord.

Determination and Valuation

5. Having given consideration to the comparable evidence provided by the parties and of its own expert, general knowledge of rental values in the area, the Tribunal determines that the open market rent for the property **in good tenantable condition** would be £850 per calendar month.
6. Such a tenancy would normally include white goods, carpets, curtains/blinds and associated fittings to all be provided by the Landlord.
7. In this case the property is not in such condition. Evidence supplied to the Tribunal shows walls within the property in a poor condition, in need of redecoration, as well as evidence of damp and mould on parts of the walls. The Tribunal notes the EPC rating of "F" for the property, albeit an exemption certificate has been obtained by the Landlord. Accordingly, the Tribunal determined that the 'open market rent' should be reduced by 15% per month to reflect the general wants of repair and current condition of the property.
8. The Tribunal considered the Applicant's submissions around extensive gardening. The Tribunal noted the obligation within the tenancy agreement at clause 1.32 that places the obligation on the tenant "*to keep the Garden in the same character, weed free and in good order*". As such, whilst the Applicant may have carried out considerable amounts of work within the garden, the Tribunal finds they were obligated under the tenancy to keep the garden in good order. Therefore, such works could not be taken into account for the purposes of the Tribunal's determination of the market rent.

9. The Tribunal therefore decided that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under the terms of this assured tenancy was £722.50 per month.
10. The Tenant made no representation that the starting date for the new rent specified in the Landlord's notice would cause the Tenant undue hardship.
11. Accordingly, the Tribunal directed that the new rent of £722.50 per month should take effect from 17 August 2025, this being the date specified in the notice.

APPEAL PROVISIONS

These summary reasons are provided to give the parties an indication as to how the Tribunal made its decision. If either party wishes to appeal this decision, they should first make a request for full reasons and the details of how to appeal will be set out in the full reasons. Any request for full reasons should be made within a month. Any subsequent application for permission to appeal should be made on Form RP PTA.