



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

Case Reference : **BIR/OOFY/F77/2024/0639**

Property : **130A Hartley Road
Nottingham
NG7 3AJ**

Tenant : **Jonathan Clark**

Landlord : **Ashraf Piranie**

Landlord's Agent : **Wise Properties Sales and Lettings**

Date of Objection : **2nd December 2024**

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

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

Observer : **Mr A Churchill BSc MRICS**

Date of Decision : **11th December 2025**

Date of issue : **06 January 2026**

DECISION

The sum of £138.50 per Week will be registered as the fair rent with effect from 11th December 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 inspected the property on 11th December 2025, following which a remote oral hearing was held.

The property comprises of a self-contained maisonette above a shop approached from an untidy alleyway at the rear of a block of shops. The alleyway also gives access to other flats in the row and to the rear of the various shops themselves.

From the alleyway, a door leads to a small yard with steel staircase leading to the first-floor kitchen which is fitted with a range of modern units incorporating an inset sink unit, oven and hob with extractor over.

The Kitchen leads to an inner hallway with stairs off to the second floor and giving access to the front lounge and bathroom being fitted with a small bath, low level WC and wash hand basin.

On the second floor are two bedrooms. The property has gas-fired central heating and UPVC double glazing throughout.

During the inspection the Tribunal was shown evidence of water penetration to the rear bedroom wall (although the area was dry at the time of the inspection). From our external inspection it appears that the gutter to the adjoining property which is at a higher level than the subject property may require cleaning out.

The Tribunal understands that the tenant contributed towards the cost of the kitchen and has fitted the floor and wall tiles to the kitchen, bathroom and areas of the first floor. He has also contributed to the cost of re-arranging the bathroom and towards the cost of the wash hand basin. The tenant has provided the washing machine, fridge and freezer.

Evidence

3. Submissions were made by the parties both in writing (Landlord) and at the hearing (both parties) which were considered by the Tribunal.

4. The Landlord submits (through his agent) that all maintenance repairs reported have been attended to, including cleaning out the rear gutters. The Landlord's agent has also contacted the owner of the adjoining property regarding their blocked gutter but has not received a response.
5. The Landlord also submits details of open market lettings on several one and two-bedroom flats as comparable evidence. These range from £997.00-£1,050.00 per month. However, on consideration the Tribunal considered that many of these were not particularly helpful as many had only one bedroom and some were specifically marketed at students and some included outgoings.
6. The Tribunal considered two of the properties submitted by the Landlord to be helpful.
 - a) A two-bedroom flat in Hartley Road marketed at £1,050.00pcm in March 2024.
 - b) A two-bedroom flat in Alfreton Road marketed at £1,040.00pcm in February 2024.

Both flats are in Nottingham and it was noted that both were furnished and although marketed at professionals/students did not include outgoings.

7. The Tenant confirmed that he did not have any comparable evidence to support his opinion as to rental value and submitted that he was in discussion with the Landlord regarding the installation of a stop tap and water meter. The Tribunal confirmed that this was a matter between himself, the Landlord and Severn Trent Water and not within the jurisdiction of the Tribunal.

In addition, the Tenant confirmed the items of work/improvements referred to in paragraph 2 above.

Determination and Valuation

8. On consideration of the comparable evidence proved by the parties, that forwarded by the Rent Officer, the inspection and its own expert knowledge of rental values in the area, the Tribunal considers that the open market rent for the property in a satisfactory condition but not above a shop in a secondary shopping area would be in the region of £220.00 per week. To reflect its location the Tribunal considers a deduction of 15% (£33.00) to be appropriate. This leaves an open market rental of £187.00 per week. From this level of rent, the Tribunal has made adjustments in relation to the following:

a) Improvements made by the Tenant	£5.00
b) Curtains, carpets and white goods fitted by the Tenant	£5.00
c) <u>The Tenant's liability to redecorate @5% say</u>	<u>£10.00</u>
Total	£20.00

9. The Tribunal has also made an adjustment for scarcity using their own general knowledge and experience. The Tribunal considers that in the wider geographical area there is an imbalance of supply and demand impacting on rental values and has therefore, made a reduction of 10% for scarcity.

10. The full valuation is shown below:

Market Rent	£187.00 per week
-------------	------------------

Less

a) Items given under a) above	£5.00
b) Items given under b) above	£5.00
c) Tenant's internal decoration liability @ 5%	£10.00

Less

Scarcity @ 10%	<u>£16.70</u>
	£36.70

Say	£37.00
-----	--------

11. The Tribunal determines an uncapped rent of £150.00 per week.

Decision

12. The uncapped fair rent determined by the Tribunal, for the purposes of section 70, is therefore £150.00 per week from 11th December 2025. The maximum fair rent permitted by the Rent Acts (Maximum Fair Rent) Order 1999 is £138.50 per week. This therefore limits the fair rent to be registered because it is above the maximum fair rent of £138.50 per week prescribed by the Order. The calculation of the capped rent is shown on the decision form.

Chairman: G S Freckelton FRICS

Date: 11th December 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

130A Hartley Road
Nottingham
NG7 3 AJ

The Tribunal members were

Mr G S Freckelton FRICS
Mrs K Bentley
Mr A Churchill BSc MRICS (Observer)

Landlord

Ashraf Piranie

Tenant

Jonathan Clark

1. The fair rent is

£138.50

Per

Week

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

2. The effective date is

11th December 2025

3. The amount for services is

Per

Not applicable

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

Per

Not applicable

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 £138.50 per week permitted by the Order.

Chairman

G S Freckelton FRICS

Date of decision

11th December 2025

MAXIMUM FAIR RENT CALCULATION

LATEST RPI FIGURE	X	407.4
--------------------------	----------	-------

PREVIOUS RPI FIGURE	Y	312.0
---------------------	---	-------

X	407.4	Minus Y	312.0	= (A)	95.4
----------	-------	----------------	-------	--------------	------

(A)	95.4	Divided by Y	312.0	= (B)	0.3057
------------	------	---------------------	-------	--------------	--------

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)	1.3557
---------------------------	--------

Last registered rent*	£102.00	Multiplied by (C) =	£138.28
------------------------------	---------	----------------------------	---------

***(exclusive of any variable service charge)**

Rounded up to nearest 50p =	£138.50
------------------------------------	---------

Variable service charge NO

If YES add amount for services	N/A
---------------------------------------	-----

MAXIMUM FAIR RENT =	£138.50	Per	Week
----------------------------	----------------	------------	-------------

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.