



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

**Case Reference** : **HAV/18UG/MNR/2025/0720**

**Property** : **11 The Bank Flats  
Mill Tail  
Mill Lane  
Totnes  
Devon  
TQ9 5DE**

**Applicant Tenant** : **Ms D Price**

**Representative** : **None**

**Respondent Landlord** : **London & Western Holdings Plc**

**Representative** : **None**

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

**Tribunal Members** : **Mr I R Perry FRICS  
Mr J S Reichel MRICS  
Judge C Skinner**

**Date of Application** : **23<sup>rd</sup> June 2025**

**Date of Decision** : **22<sup>nd</sup> September 2025**

---

**DECISION**

**The Tribunal determines a rent of £630 per calendar month with effect from 24<sup>th</sup> June 2025.**

---

## SUMMARY REASONS

### Background

1. On 25<sup>th</sup> April 2025 the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £750 per month in place of the existing rent of £595 per month to take effect from 24th June 2025.
2. On 23<sup>rd</sup> June 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.

### Inspection

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

### Evidence

4. The Tribunal has considered the written submissions provided by the Tenant and the Landlord.
5. The deadline for the Tenant's submission was 29<sup>th</sup> August 2025 as set out in the Directions. The Tribunal noted that the Tenant submitted her statement on 29<sup>th</sup> August 2025, but after 5pm, which is regarded as close of business for the day. The Tribunal did not consider that the Landlord had been materially prejudiced by this and, having regard to its own Rule 3(1) "The overriding objective of the Rules is to enable the Tribunal to deal with cases fairly and justly", the Tribunal agreed to accept the statement from the Tenant.

### Determination and Valuation

6. 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 tenable condition** would be £875 per calendar month.
7. Such a tenancy would normally include white goods, carpets, curtains/blinds and associated fittings to all be provided by the Landlord.
8. 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. In particular the Tribunal has made the adjustments for the Tenant's responsibility for internal decoration and plasterwork, dated kitchen and bathroom fittings, lack of double glazing and central heating reflected by an Energy Performance Rating 'F'.
9. The full valuation is shown below:

Full open market rent in good condition	£875
Less deductions for:-	
Tenants' provision of white goods	£30
Tenant's provision of carpets and curtains	£40
Tenant's liability for internal décor and repair	£60
Dated kitchen and bathroom fittings	£75
Single glazing, electric heating, poor EPC rating	£40
Total deductions per month	£245
	—————
<b>TOTAL RENT PAYABLE PER MONTH</b>	<b>£630</b>

10. 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 £630 per month.
11. 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.
12. Accordingly, the Tribunal directed that the new rent of £630 per month should take effect from 24<sup>th</sup> June 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.