



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

Case reference : **HAV/21UH/MNR/2025/0774**

Property : **1 Elm Cottages, Boreham Lane,
Boreham Street, Wartling, Hailsham,
East Sussex BN27 1RS**

Applicant (Tenant) : **Mr Brian Gurr**

Representative : **None**

**Respondent
(Landlord)** : **Mrs Janice Harris**

Representative : **BTF Partnership**

Type of application : **Section 13(4) Housing Act 1988**

Tribunal members : **Mr Duncan Jagger MRICS
Mr Nigel Robinson FRICS**

Venue : **Paper determination with Inspection**

Date of Reasons : **17 November 2025**

DECISION

Decision of the tribunal

- (1) Having heard evidence and submissions from the parties and considered all the documentation provided The Tribunal determines that the rent that the property in its current condition as at 16 September 2025 might reasonably be expected to achieve under an assured tenancy is **£1,500 per month**

Background

1. The tenant has lived in the property since 1964 with the original agreement in his father's name. The tenant's mother passed away in 1980 and following a stay in a nursing home the tenant's father passed away in 2015. From this date the tenant had a right of succession to an assured tenancy under Schedule 1 to the Rent Act 1977. This is not a continuation of the deceased's regulated tenancy but a new assured shorthold tenancy in its own right.
2. The accommodation comprises two bedrooms, living room, kitchen, bathroom and cloakroom, outbuildings.
3. On 30 July 2025 the landlord served a notice pursuant to section 13(2) of the Housing Act 1988 seeking to increase the rent from £750 per month to £1,500 per month effective from 16 September 2025. This being an increase of £750.
4. By an application dated 11 September 2024 the tenant referred that notice to the Tribunal for a determination of the market rent. The Tribunal issued Directions for the conduct of the matter on 1 October 2025.

The Evidence

5. The detailed bundle of evidence includes a background to the case, the application, two completed Rent Appeal Statements with helpful photographs and comparable evidence from the landlord.

The Inspection

6. The Tribunal inspected the property on the morning of the 17 November 2025 in the presence of Mr Gurr the tenant. Mrs Harris also attended the property to carry out a joint inspection.
7. The property is a Victorian semi detached former farm workers cottage with brick elevations under a pitched and tiled roof. There is enclosed rear garden with various outbuildings. The property has a shared septic tank. The property is situated in a rural area with views over open

countryside. The A271 is in close vicinity and Hailsham town centre lies approximately 4 miles distance.

8. The property has an Energy Performance Rating of F which is below average, although it assumed this has been improved following the recent refurbishment works and upgrade of services.. The property has been subject to a significant refurbishment project undertaken by the landlord which has included double-glazed windows, new kitchen and bathroom fittings, complete redecoration and new insulated concrete ground floor and new coverings. The electrical system has been rewired, replacement hot water cylinder and wardrobes. Central heating is provided by replacement electric storage heaters. The inspection and photographic evidence provided by the landlord confirm the condition of the property.

The Tenant's case

9. The tenant states that he has lived in the property since 1964 and during that time very little maintenance was carried out by the landlord. The tenant recommends the Tribunal to consider the length of time he has been a tenant, the fact that he has always paid the rent on time and the manner in which the refurbishment works were undertaken. This involved him living in a caravan for 15 months in cold and damp conditions without proper sanitary facilities. The tenant does not dispute the refurbishment works.

The Landlord's case

10. The landlord states the property has been completely refurbished in the past 12 months and following a valuation from VC Estates an estate and letting agent based in Herstmonceux a rental level of £1,500 was recommended. This figure was calculated following consideration of the comparable evidence provided which ranged from £1,300-£1,700 for a varying three bedroom houses.

The Law

11. The rules governing a determination are set out in section 14 of the Housing Act 1988. In particular, the Tribunal is to determine the rent at which the property might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy, subject to disregards in relation to the nature of the tenancy (i.e. it being granted to a "sitting tenant") and any increase or reduction in the value due to the tenant's improvements or failure to comply with the terms of the tenancy. In the absence of any evidence to the contrary, the Tribunal has proceeded on the basis that the landlord is responsible for repairs to the structure, partial exterior and any installations pursuant to section 11 of

the Landlord and Tenant Act 1985 and the tenant for interior decoration and rainwater fittings.

The Valuation

12. Having carefully considered all of the evidence and using its knowledge and experience in the Hailsham area the Tribunal considers that the rent that would be achieved in good condition with good quality kitchen and bathroom fittings, external maintenance, internal refurbishment modern services, and carpets, curtains and white goods supplied by the landlord would be **£1,500** per month.
13. The Tribunal did its very best to analyze the comparable evidence provided by the Landlord. The properties submitted were of varying types within a wide geographical radius. This is a relatively individual property in terms of location. Therefore, the Tribunal had to make certain assumptions regarding specification, location, floor area, house type, actual achieved rent value and any market movement compared with the date of valuation. In conclusion, the Tribunal agreed with the proposed rental level to be set by the landlord.
14. The Tribunal has every sympathy for the tenant, particularly bearing in mind the type of temporary accommodation provided and the length of time he had to endure. However, the Tribunal is set the task to value the property in accordance with the criteria set out above, and the party's personal circumstances do not form of the methodology to calculate the rental value.
15. The Tribunal determine the rental value of **£1,500 per month** is to take effect from **16 September 2025** being the date of the landlord's notice.

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the Tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the Regional Office which has been dealing with the case. The application should be made on Form RP PTA available at <https://www.gov.uk/government/publications/form-rp-pta-application-for-permission-to-appeal-a-decision-to-the-upper-tribunal-lands-chamber>

The application for permission to appeal must arrive at the Regional Office within 28 days after the Tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the Tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the Tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking. Please note that if you are seeking permission to appeal against a decision made by the Tribunal under the Rent Act 1977, the Housing Act 1988 or the Local Government and Housing Act 1989, this can only be on a point of law.

If the First-tier Tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).