



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

**Case Reference** : **HAV/21UD/MNR/2025/0797**

**Property** : **18A Downs Road  
Hastings  
East Sussex  
TN34 2DX**

**Applicant Tenant** : **Mr A & Ms J McKenzie**

**Representative** : **None**

**Respondent Landlord** : **Ms E Potter**

**Representative** : **Jack Charles Property Services Limited**

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

**Tribunal Members** : **Mr I R Perry FRICS  
Mr S J Hodges FRICS  
Judge Cowan**

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

**Date of Decision** : **12<sup>th</sup> December 2025**

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**DECISION**

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## **SUMMARY REASONS**

### **Decision**

**On 12<sup>th</sup> December 2025 the Tribunal directed that a new rent of £1,000 per month for the property should take effect from 26<sup>th</sup> October 2025.**

### **Background**

1. On 12<sup>th</sup> October 2025 the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,175 per month in place of the existing rent of £930 per month to take effect from 26<sup>th</sup> October 2025.
2. On 23<sup>rd</sup> October 2025 under Section 13(4)(a) of the Housing Act 1988, the Tenants referred the Landlord's notice proposing a new rent to the Tribunal for determination of a market rent.
3. On 4<sup>th</sup> November 2025 the Tribunal issued Directions clearly setting out dates for the parties to make any representation to the Tribunal. The Landlord was required to send a completed Statement to the Tribunal by 18<sup>th</sup> November 2025 and the Tenant was required to submit a Statement by 2<sup>nd</sup> December 2025.

### **Inspection**

4. 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**

5. The Landlord's Agent submitted a Statement dated 6<sup>th</sup> November 2025 and the Tenant submitted a Statement on 1<sup>st</sup> December 2025.
6. On 5<sup>th</sup> December 2025 the Landlord's Agent submitted a response to the Tenant's statement. Given that this was outside the time set by the Tribunal, on 10<sup>th</sup> December 2025 the Tribunal e-mailed the Agent requesting a Case Management Application be filed by 5pm 11<sup>th</sup> December 2025, this being the date immediately before the Tribunal's decision. No Application was received.
7. In considering the papers provided the Tribunal first had to determine whether the Agent's submission of 5<sup>th</sup> December 2025 should be admitted.
8. Given the facts that these papers were submitted outside the timetable set in the original Directions and that the Agent had not submitted the Case Management Application within the second date specified the Tribunal determined that it would not accept this late submission.
9. The Tribunal has considered the original written submissions provided by the Parties which had been copied to the opposing Party.

**Determination and Valuation**

10. 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 £1,175 per calendar month.
11. Such a tenancy would normally include white goods, carpets, curtains/blinds and associated fittings to all be provided by the Landlord.
12. In this case the property is not let in such condition so some adjustments to the 'open market rent' are necessary. In particular the Tribunal has made the adjustments for the dated bathroom in disrepair and general wants of repair to include damp and mould issues throughout the property.
13. The full valuation is shown below:

Full open market rent in good condition	£1,175
Less deductions for:-	
Dated bathroom in poor condition	£50
General wants of repair, damp and mould	£125
	_____
<b>TOTAL RENT PAYABLE PER MONTH</b>	<b>£1,000</b>
14. 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 £1,000 per month.
15. The Tenant had requested that due to financial hardship the starting date for the new rent should be later than the date specified in the Notice.
16. Whilst sympathetic to the Tenant's position the Tenant had not submitted sufficient evidence for the Tribunal to determine that the effective date should vary from the date specified in the Notice.
17. Accordingly, the Tribunal directed that the new rent of £1,000 per month should take effect from 26<sup>th</sup> October 2025.

**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.