



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

Case Reference : **BIR/17UK/MNR/2025/0807**

Property : **141 Castle Road
Castle Gresley
Swadlincote
DE11 9LJ**

Tenant : **Carla Saddington**

Landlord : **Trustees of S Whitaker Deceased**

Landlord's agent : **S Whitaker Ltd**

Date of application : **12th September 2025**

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

Tribunal Members : **Mr G S Freckelton FRICS
Mr N Atherton MRICS
Mr A Churchill BSc MRICS**

Date of Decision : **2nd March 2026**

DECISION

**The Tribunal determines a rent of £695.00 per month with effect from
1st October 2025.**

REASONS FOR THE DECISION

Background

1. On 19th August 2025 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £663.00 per month in place of the existing rent of £625.00 take effect from 1st October 2025.
2. On 12th September 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 on the basis of the papers provided by the parties and having regard to its own knowledge, expertise and online research.

Evidence

4. The Tribunal has considered the written submissions provided by the Tenant and the Landlord.
5. From the information provided it appears that the property comprises of a semi-detached house with one living room, kitchen, three bedrooms and bathroom. There is understood to be double glazing throughout and gas fired central heating. Outside is a garden and driveway. It is understood that the tenancy does not include white goods, carpets or curtains.
6. The tenant submits that the boiler is faulty and does not always work correctly. Two radiators are also not working. In addition, there is some black mould which is having an adverse effect on the tenant and her daughter. The local authority Environmental Health department have been involved.
7. The tenant further submits that the landlord has served her with Notice to Quit.
8. Based on the photographs provided the Tribunal considers that the kitchen would benefit from upgrading.
9. The landlord submits that the Environmental Health Department have found no Category 1 or category 2 hazards. It was noted that the tenant disagrees with this assessment. There was no evidence of water ingress but fans had been fitted to improve the ventilation.
10. The landlord further submitted that all the radiators were working and that at the tenants request he had bled one of them. The boiler was serviced annually.
11. The landlord submits that similar properties in the area are let at rents in the region of £750.00 - £1,050.00 per month.
12. The Tribunal has considered the written submissions provided by the Tenant and the Landlord.

Determination and Valuation

13. Having considered the comparable evidence proved by the parties and of our own expert, knowledge of rental values in the area, we consider that the open market rent for the property in good tenable condition would be in the region of £850.00 per month. From this level of rent we have made adjustments in relation to:

- a) Condition – kitchen update, some mould and roof leaks.
- b) Curtains, carpets and white goods fitted provided by the tenant.
- c) The Tenant's liability to redecorate.

14. The full valuation is shown below:

Market Rent		£850.00 per month
<i>Less</i>		
a) Items given under a) above	£62.00	
b) Items given under b) above	£50.00	
c) Tenant's internal decoration liability @ 5%	<u>£42.50</u>	
	<u>£154.50</u>	
		<u>£154.50 per month</u>
		£695.50 per month
	Say	£695.00 per month

Decision

15. The Tribunal therefore determined that the rent at which the subject property might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy was £695.00 per month with effect from 1st October 2025.

Chairman: G S Freckelton FRICS

Date: 2nd March 2026

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 and Register of Rents under Assured Periodic Tenancies (Section 14 Determination)

Housing Act 1988 Section 14

Address of Premises

141 Castle Road
Castle Gresley
Swadlincote
Derby
DE11 9LJ

The Tribunal members were

Mr G S Freckelton FRICS
Mr N Atherton MRICS
Mr A Churchill BSc MRICS

Landlord

Trustees of S Whitaker Deceased

Address

90 Common Road
Church Gresley
Swadincote
Derby
DE11 9NW

Tenant

Carla Saddington

1. The rent is:

£695.00

Per

month

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

2. The date the decision takes effect is:

1st October 2025

3. The amount included for services ~~is~~/is not applicable

N/A

Per

4. Date assured tenancy commenced

1st November 2022

5. Length of the term or rental period

12 months

6. Allocation of liability for repairs

Landlord and Tenant Act 1985

7. Furniture provided by landlord or superior landlord

None

8. Description of premises

A semi-detached house comprising one living room, kitchen, three bedrooms and bathroom. Double glazing. Central heating. Gardens and driveway.

Chairman

G S Freckelton
FRICS

Date of Decision

2nd march 2026