



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

Case Reference : **BIR/OOFK/MNR/2025/0811**

Property : **16 Bishop's Green
St Swithin's Close
Derby
DE22 3FX**

Tenant : **Chinedu Gregory Onwuatuogwu**

Landlord : **Matthew Stevenson**

Landlord's agent : **Sure Sales and Lettings**

Date of application : **30th 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
Mrs K Bentley
Mr A Churchill BSc MRICS**

Date of Decision : **9th March 2026**

DECISION

The Tribunal determines a rent of £712.00 per month with effect from 5th October 2025.

REASONS FOR THE DECISION

Background

1. On 4th September 2025 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £725.00 per month in place of the existing rent of £675.00 to take effect from 5th October 2025.
2. On 30th 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 second floor flat with living room/kitchen, two bedrooms (one with an en-suite) and bathroom. The flat has central heating and double glazing.
6. The tenant submits:
 - 1) That the carpet to bedroom 2 is damaged.
 - 2) There is damage to the woodwork in the hallway caused by a previous leak and this has resulted in an insect infestation.
 - 3) The bath is in poor condition.
 - 4) The central heating/hot water boiler failed in 2023 and was out of order for several months.
 - 5) Not all the repairs needed following the leak in 2022 have been attended to.
 - 6) The tenant submitted photographs which include the damage to the ceiling in the bathroom.
7. The landlord submits:
 - 1) The property includes integrated white goods in the kitchen.
 - 2) The property is part furnished.
 - 3) Minor upgrading has been completed including decoration, new smoke alarm, a new bathroom extractor fan and new bathroom lights.

- 4) The landlord submitted a copy of the inventory including photographs, when the property was initially occupied by the tenant. This shows the property to be in good condition.
8. The landlord submits the following comparable evidence:
- 1) Four, part furnished, 2-bedroom flats in St Swithans Close at rentals between £800.00 - £925.00 per month.
 - 2) A fully furnished 2-bedroom flat in St Swithans Close at a rental of £1,195.00 per month.
9. The Tribunal has considered the written submissions provided by the Tenant and the Landlord. In particular the Tribunal noted that the condition of the property indicated in the Inventory photographs is good. It was also noted that the deterioration in the condition of the decoration to the bathroom noted in the later photographs was, on the balance of probability, due at least in part by condensation.

Determination and Valuation

10. 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 £760.00 per month. From this level of rent we have made adjustments in relation to:
- a) Condition in respect of the woodwork to the hallway, carpet to bedroom 2 and redecoration required to the bathroom ceiling following the previous leak.
 - b) The Tenant's liability to redecorate.
11. The full valuation is shown below:

Market Rent	£760.00 per month
 <i>Less</i>	
a) Items given under a) above	£10.00
b) The tenant's internal decoration liability @ 5%	<u>£38.00</u>
	<u>£48.00</u>
	£712.00

Decision

12. 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 £712.00 per month with effect from 5th October 2025.

Chairman: G S Freckelton FRICS

Date: 9th 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

16 Bishop's Green
St Swithin's Close
Derby
DE22 3FX

The Tribunal members were

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

Landlord

Matthew Stevenson

Address

c/o 8 Eastern Avenue
Stretton
Burton on Trent
DE13 0AT

Tenant

Chinedu Gregory Onwuatuogwu

1. The rent is:

£712.00

Per

month

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

2. The date the decision takes effect is:

5th October 2025

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

N/A

Per

4. Date assured tenancy commenced

5th March 2021

5. Length of the term or rental period

Six months

6. Allocation of liability for repairs

Landlord and Tenant Act 1985

7. Furniture provided by landlord or superior landlord

Dining table, sofa, storage units, chairs and bedroom furniture as detailed in the Inventory

8. Description of premises

A self-contained flat with living room/kitchen, two bedrooms (one with en-suite), bathroom. Central heating and double glazing.

Chairman

G S Freckelton
FRICS

Date of Decision

9th March 2026