



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

**Case Reference** : **BIR/17UD/F77/2025/0027**

**Property** : **47 King Street North  
Chesterfield  
S41 9BA**

**Tenant** : **Miss N Buxton**

**Landlord** : **Hardwick Nominees Limited**

**Date of Objection** : **28<sup>th</sup> October 2025**

**Type of Application** : **Section 70 Rent Act 1977**

**Tribunal Members** : **Mr G S Freckelton FRICS  
Mrs K Bentley**

**Date of Decision** : **10<sup>th</sup> March 2026**

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**DECISION**

**The sum of £102.00 per week will be registered as the fair rent with effect from 10<sup>th</sup> March 2026 being the date the Tribunal made the Decision.**

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## REASONS FOR THE DECISION

### Background

1. Following an objection from the Tenant to the determination of a fair rent by the Rent Officer, the Tribunal has made a determination under the provisions of the Rent Act 1977.

### Inspection

2. 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

3. The Tribunal has considered the written submissions provided by the Tenant and the Landlord.
4. From the information provided it appears that the subject property comprises of a mid-terraced house. The accommodation is understood to comprise of a lounge and kitchen/diner on the ground floor. On the first floor are two bedrooms and a bathroom. The property has full central heating and, according to the tenants, double glazing. (The landlord says there is no double glazing). There is a private garden with patio and shed (provided by the tenant). Both parties confirm that carpets, curtains and white goods are provided by the tenant. Based on internet mapping it appears to the Tribunal that the property has at least some double glazing.
5. The tenant submits that the property is in need of ongoing repairs. In summary these are:
  - a) The living room window allows rain to penetrate and needs sealing.
  - b) The kitchen comprises of only an old sink and small cupboard.
  - c) There is a damp patch to bedroom 1 when it rains and the window is draughty.
  - d) There is a damp patch to bedroom 2 when it rains and the window is draughty.
  - e) The bathroom window needs repair and the W.C. works intermittently.
  - f) The landlord cut off the shower (which the tenant had installed).
  - g) The step to the back door is dangerous and crumbling.
  - h) The rear door is an old timber unit in need of replacement.
  - i) Numerous general ongoing repairs are required.
6. The landlord submits that in its opinion the Registered Rent is fair. As comparables the landlord submits several Registered Rents:

- a) 61 Devon Drive, Brimington, Chesterfield – A modern 3-bedroom terraced house with car parking space - £121.00 per week from October 2023.
  - b) 15 Cherwell Close, Brimington, Chesterfield – A more modern terraced house with 3 bedrooms and car parking space - £130.50 per week from July 2024.
  - c) 4 Laurence Close, Old Whittington, Chesterfield – A more modern terraced house with 3 bedrooms and car parking space - £127.00 per week from July 2024.
6. The landlord also submits details of the following properties offered on the open market at full market rents:
- a) New Street, Chesterfield – A 2-bedroom terraced house offered at £650.00 per month.

### **Determination and Valuation**

7. On consideration of the comparable evidence proved by the parties, that forwarded by the Rent Officer and the Tribunal’s own expert knowledge of rental values in the area, the Tribunal considers that the open market rent for the property in a satisfactory condition would be in the region of £175.00 per week. From this level of rent, the Tribunal has made adjustments in relation to the following:

- a) Condition – the Tribunal refers to the items detailed in paragraph 5 above.
- b) Improvements made by the Tenant to the garden and shed.
- c) Curtains, carpets and white goods fitted by the Tenant.
- d) The Tenant’s liability to redecorate.

8. The Tribunal has also made an adjustment for scarcity using their own general knowledge and experience. The Tribunal considers that in the wider geographical area there is no imbalance of supply and demand impacting on rental values and has, therefore, has not made a reduction for scarcity.

9. The full valuation is shown below:

Market Rent	£175.00 per week
 <i>Less</i>	
a) Items given under a) above	£50.00
b) Items given under b) above	£ 5.00
c) Items given under c) above	£10.00
d) <u>Tenant’s internal decoration liability</u>	<u>£ 8.00</u>
	<u>£73.00</u>
	£102.00

10. The Tribunal determines an uncapped rent of £102.00 per week.

## **Decision**

11. The uncapped fair rent determined by the Tribunal, for the purposes of section 70, is therefore £102.00 per week from 10<sup>th</sup> March 2026. The maximum fair rent permitted by the Rent Acts (Maximum Fair Rent) Order 1999 is £108.50 per week. This therefore has no impact on the rent determined by the Tribunal.

**Chairman: G S Freckelton FRICS**

**Date: 10<sup>th</sup> 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

Rent Act 1977 Schedule 11

**Address of Premises**

47 King Street North  
Chesterfield  
S41 9BA

**The Tribunal members were**

Mr G S Freckelton FRICS  
Mrs K Bentley

**Landlord**

Hardwick Nominees Limited

**Tenant**

Miss N Buxton

1. The fair rent is

£102.00

Per

Week

(excluding water rates and council tax but including any amounts in paras 3&4)

2. The effective date is

10<sup>th</sup> March 2026

3. The amount for services is

N/A-

Per

-

4. The amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance is

N/A

Per

-

5. The rent is/is not to be registered as variable.

6. The capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 apply/do not apply (please see calculation overleaf).

7. Details (other than rent) where different from Rent Register entry

8. For information only:

The fair rent to be registered is not limited by the Rent Acts (Maximum Fair Rent) Order 1999, because it is below the maximum fair rent of £XXX permitted by the Order/ The fair rent to be registered is limited by the Rent Acts (Maximum Fair Rent) Order 1999, because it is above the maximum fair rent of £XXX permitted by the Order.

Chairman

G S Freckelton FRICS

Date of decision

10<sup>th</sup> March 2026

# MAXIMUM FAIR RENT CALCULATION

<b>LATEST RPI FIGURE</b>	<b>X</b>		406.4		
<b>PREVIOUS RPI FIGURE</b>	<b>Y</b>		372.8		
<b>X</b>	406.4	<b>Minus Y</b>	372.8	<b>= (A)</b>	33.6
<b>(A)</b>	33.6	<b>Divided by Y</b>	372.8	<b>= (B)</b>	0.0901

**First application for re-registration since 1 February 1999 YES/NO**

If yes (B) plus 1.075 = (C)

If no (B) plus 1.05 = (C)

Last registered rent\*  Multiplied by (C) =

\*(exclusive of any variable service charge)

Rounded up to nearest 50p =

Variable service charge **NO**

If YES add amount for services

**MAXIMUM FAIR RENT =**  **Per**

## ***Explanatory Note***

1. The calculation of the maximum fair rent, in accordance with the formula contained in the Order, is set out above.
2. In summary, the formula provides for the maximum fair rent to be calculated by:
  - (a) increasing the previous registered rent by the percentage change in the retail price index (the RPI) since the date of that earlier registration and
  - (b) adding a further 7.5% (if the present application was the first since 1 February 1999) or 5% (if it is a second or subsequent application since that date).

A 7.5% increase is represented, in the calculation set out above, by the addition of 1.075 to (B) and an increase of 5% is represented by the addition of 1.05 to (B).

The result is rounded up to the nearest 50 pence.
3. For the purposes of the calculation the latest RPI figure (x) is that published in the calendar month immediately before the month in which the Tribunal's fair rent determination was made.
4. The process differs where the tenancy agreement contains a variable service charge and the rent is to be registered as variable under section 71(4) of the Rent Act 1977. In such a case the variable service charge is removed before applying the formula. When the amount determined by the application of the formula is ascertained the service charge is then added to that sum in order to produce the maximum fair rent.