



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

Case reference : HAV/21UH/F77/2025/0644

Property : Darley Cottage, Searles, Fletching,
Uckfield, East Sussex, TN22 3YB

Applicant landlord : West Ella Finance Limited

Representative : Mr S M Bladon
West Ella Finance Limited

Respondent tenant : Miss J F Trickett

Representative : None

Type of application : Determination of a Fair Rent
Section 70, Rent Act 1977

Tribunal members : Mr J G G Wilson MRICS
Miss C Barton MRICS
Mr M E Williams FRICS

Date of consideration : 26 February 2026

Date of decision : 26 February 2026

DECISION

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Decision of the Tribunal

On 26 February 2026 the Tribunal determined a Fair Rent of £220.50p (Two Hundred and Twenty-Two Pounds and Fifty Pence) per Week to take effect from 26 February 2026.

Background

1. On 4 November 2025 Ms Debbie King of West Ella Finance Limited submitted her application for re-registration of Fair Rent ('RR1') to the Rent Officer to register a fair rent of £238.88 per Week for Darley Cottage, Searles, Fletching, East Sussex, TN22 3YB ('the property').
2. At paragraph 8 of the RR1 it is confirmed there are no services provided under the tenancy. Similarly, in paragraph 10 it is confirmed there is no furniture provided.
3. This was an application to re-register the fair rent from its previous registration of rent for the property by the Rent Officer of £195.00 per Week, effective from 4 February 2024.
4. At paragraph 12 of the RR1, the rent now is stated as £195.00 per Week.
5. A new rent of £212.00 per Week was registered by the Rent Officer, effective from 4 February 2026. The amounts for (d) Amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance and for (e) Noted amount attributable to services are both blank.
6. In an email dated 17 December 2025 to The Valuation Office Agency ('the VOA') (sent to NSO Helpdesk (VOA)) Ms King submitted the landlord's objection to the new rent registered and the matter was referred to the First-Tier Tribunal Property Chamber (Residential Property), formerly a Rent Assessment Committee.
7. The Tribunal issued Directions dated 14 January 2026. The Tribunal does not consider it necessary and proportionate in cases of this nature neither to undertake an inspection, nor to hold a Tribunal hearing unless either are specifically requested by either party or a particular point arises which merits such an inspection and/or hearing.
8. The Tribunal in its Directions informed the parties that, unless either party objected, the Tribunal intended to determine the rent on the papers (written representations), paragraph 5.
9. Similarly, the parties were informed the Tribunal will not inspect the property but will seek to view it on the internet; and goes on to say if it considers it necessary, it may carry out an external inspection, paragraph 6.
10. The parties were directed to complete and return their Fair Rent Appeal Statement ('Statement') to form their statement of case, within specific time limits, paragraphs 8 – 12 inclusive. The Statement provides for photographs to be attached, to assist the Tribunal to understand the case and to help the party to present the issues.

11. Both Mr Bladon for the landlord and Miss Trickett have given a Statement in accordance with the Tribunal's Directions.

The Property

12. Darley Cottage is described in the Rent Register as a semi-detached bungalow, circa 1800-1918 with accommodation comprising, ground floor - four rooms, one kitchen and one bathroom/WC. Both the landlord and the tenant confirm in their Statements there is off-street parking and a private garden, although neither is listed in the Rent Register.
13. From photographs provided in the bundle, Darley Cottage is of traditional brick construction with a pitched tiled roof. Mr Bladon has provided the Tribunal with a floor plan of the property dated September 2014.
14. Fletching is to the northwest of Uckfield and to the east of Haywards Heath, in East Sussex. The property is in a rural setting.

The Tenancy Agreement

15. The Tribunal has not been provided with a copy of the tenancy agreement, although from the RR1 it is understood to have commenced in 1989 (although Miss Trickett says she has lived in the property since 1966/67).
16. The tenant is responsible for the payment of Council Tax and Water Rates. Section 11 of the Landlord and Tenant Act 1985 ('the 1985 Act') applies. The tenant is responsible for internal decorations. The landlord is responsible for repairs and external decorations. Neither furniture nor any services are provided under the tenancy.

Submissions – Fair Rent Appeal Statements

17. The Tribunal has considered the case *de novo* (from anew) and has limited its considerations to reach its decision to those points in the papers relevant to the determination of the fair rent.
18. In addition to the RR1 submitted by Ms King for the landlord, Mr Bladon submitted his Statement on 24 January 2026. Miss Trickett's Statement is dated 11 January 2026, albeit received by the Tribunal on 13 February 2026. Whereas Mr Bladon says the information in the Rent register is accurate, other than the rent, Miss Trickett says it is not.

Mr Bladon's Statement

19. Mr Bladon's description of the property aligns with that of the Rent Register and adds there is a utility room, a hallway and a large garden.
20. Under 'Features', Mr Bladon says the landlord has provided electric heaters, double glazing and goes on to add there is off-street parking and a private garden.
21. Under 'Improvements', Mr Bladon says double glazing was installed in 2025 and included in the bundle is a copy of the invoice for the same.
22. Under 'Disrepair/Defects' Mr Bladon says there is neither gas nor oil-

fired central heating. In his notes under 'Condition', Mr Bladon says the property is in a 'moderate condition, given it's [sic] type and age.' Under 'Any Other Comments' Mr Bladon says the nearest railway station is Buxted – 1.5 to 2 miles away.

23. Mr Bladon has provided the Tribunal with both comparable evidence and his valuation of the market rent, with adjustments. The comparable lettings evidence is set out in a schedule and comprises six properties. Outline lettings' particulars have been provided for each, which include both external, and in some cases, internal photographs. Under column heading 'Let at pcm' the range of rental values is from £1,450 per calendar month to £2,700 per calendar month. Each comparable has been analysed on a pounds per square metre ('£ psm') basis, which results in a range from £13.18 psm to £19.59 psm, with an average of £17.18 psm. Mr Bladon says the areas of each property have been taken from the EPC register to ensure consistency. To reach his assessment of the market rent, Mr Bladon has applied the average £17.18 psm to 114 square metres being the area he has drawn down for the property - £17.18 psm times 114 square metres to equal a market rent of £1,958.52 per calendar month.
24. Mr Bladon acknowledges the schedule contains properties of superior quality to the subject and goes on to make the following adjustments, in outline: (1) tenant's decorations - £35 pcm, (2) floor covering and curtains - £40 pcm, (3) better condition of the open market lettings - £100 pcm, (4) White Goods - £25 pcm, and (5) lack of central heating - £100 pcm. In aggregate, a deduction of £300 pcm. Mr Bladon goes on to say the net rent should be £1,658 per month (£1,958 pcm minus £300 pcm, to equal £1,658 pcm).
25. Mr Bladon believes there is an adequate supply of property within the area, therefore scarcity should not apply in this case. Mr Bladon concludes to say that as the landlord has just spent £20,851 installing double glazed windows, the Minimum [sic] Fair Rent order is not applicable.

Miss Trickett's Statement

26. Miss Trickett says her tenancy is an agricultural tenancy which dates back to 1966/67 when the family worked on the mushroom farm. The information in the Rent register is not confirmed to be accurate. Under 'Features', Miss Trickett concurs with Mr Bladon's submissions.
27. Under 'Improvements', Miss Trickett confirms new windows have been installed. The Tribunal comments on this later.
28. Under 'Disrepair/Defects' Miss Trickett goes on to say, 'Bathroom and Kitchen 55 years old.' Under 'Any Other Comments' Miss Trickett says Uckfield is 7 miles [sic].
29. Miss Trickett does not give her assessment of the rental value and goes on to say the Maximum Fair Rent Order should apply as it is an agricultural tie. Miss Trickett gives no comment as to whether demand for such property exceeds supply (the scarcity question).

30. Miss Trickett has provided photographs to show items of disrepair at the property.

The Law

When determining a fair rent, the Tribunal, in accordance with the Rent Act 1977 ('the Act'), section 70, had regard to all the circumstances including the age, location and state of repair of the property. It also disregarded the effect of (a) any relevant tenant's improvements and (b) the effect of any disrepair or any other defect attributable to the tenant or any predecessor in title under the regulated tenancy, on the rental value of the property.

In *Spath Holme Ltd v Chairman of the Greater Manchester & Lancashire Rent Assessment Committee* (1995) 28 HLR 107 and *Curtis v London Rent Assessment Committee* [1999] QB 92 the Court of Appeal emphasised:

- (a) that ordinarily a fair rent is the market rent for the property discounted for 'scarcity' (i.e. that element, if any, of the market rent, that is attributable to there being a significant shortage of similar properties in the wider locality available for letting on similar terms - other than as to rent - to that of the regulated tenancy) and
- (b) that for the purposes of determining the market rent, assured tenancy (market) rents are usually appropriate comparable lettings. (These rents may have to be adjusted where necessary to reflect any relevant differences between those comparable lettings and the subject property).
31. Section 72A - Amounts attributable to services: In order to assist authorities to give effect to the housing benefit scheme under Part VII of the Social Security Contributions and Benefits Act 1992 or to assist the Secretary of State in the administration of universal credit, where a rent is registered, there shall be noted on the register the amount (if any) of the registered rent which, in the opinion of the rent officer or appropriate tribunal, is fairly attributable to the provision of services, except any amount which is negligible in the opinion of the officer or, as the case may be, the tribunal.
32. The Tribunal is also to have regard to the Rent Acts (Maximum Fair Rent) Order 1999 ('the Order'), where applicable. Most objections and determinations of registered rents are now subject to the Order, which limits the amount of rent that can be charged by linking increases to the Retail Price Index ('RPI'). It is the duty of the Property Tribunal to arrive at a fair rent under section 70 of the Act, but in addition to calculate the maximum fair rent which can be registered according to the rules of the Order.
33. If that maximum rent is below the fair rent calculated as above, then that (maximum) sum must be registered as the fair rent for the subject property.
34. Section 2(7) of the Order is as follows, 'This article does not apply in respect of a dwelling-house if because of a change in the condition of the

dwelling-house or the common parts as a result of repairs or improvements (including the replacement of any fixture or fitting) carried out by the landlord or a superior landlord, the rent that is determined in response to an application for registration of a new rent under Part IV exceeds by at least 15% the previous rent registered or confirmed.' The Tribunal expands on this later.

35. The tenancy is a statutory (protected) periodic tenancy and as such (not being for a fixed tenancy of 7 years or more) is subject to section 11 of the Landlord and Tenant Act 1985, which sets out the landlord's statutory repairing obligations; the tenant is responsible for internal decorations.

Considerations and Valuation

36. Having reviewed the papers, the Tribunal first considered whether it felt able to decide this case reasonably and fairly based on the papers submitted only, with neither an inspection, nor an oral hearing. Having read and considered the papers the Tribunal decided it could do so.
37. In the first instance the Tribunal determined the market rent per calendar month (per week) which the landlord could reasonably expect to receive on the valuation date, 26 February 2026, on the assumptions the property was in good condition, with carpets (flooring coverings), curtains and white goods provided by the landlord.
38. The Tribunal has been provided with a screen shot of the Rent Officer's comparable lettings of semi-detached properties with four and five rooms in the TN22 postcode. The market rents range from £219.23 per week up to £415.38 per week. No further information has been provided.
39. In addition, the Tribunal has been provided with Mr Bladon's comparable lettings' evidence and his valuation, with adjustments, to value the fair rent.
40. Taking the above into consideration and of its own general knowledge of market rents in the area, at the valuation date, the Tribunal determined the market rent of the property to be £1,600 per calendar month, before any adjustment(s) which it deemed appropriate to be applied.
41. From the submissions given by the parties, the information provided by the Rent Officer in its 'Determination' screen shot, the Tribunal has determined adjustments are required to be applied to the market rent to reflect: (1) no central heating, (2) no carpets (floor coverings) and curtains, (3) the tenant's provision of the White Goods, (4) the tenant's internal decorations' obligation, (5) the unmodernised kitchen, (6) the unmodernised bathroom/WC, and (7) general disrepair of the property.
42. The Tribunal concluded a deduction in aggregate of £420 per calendar month be applied to the market rent, made up of as follows:

No Central Heating	£100
No Carpets (floor coverings) and Curtains	£50
White Goods	£45
Internal decorations' obligation	£25

An unmodernised kitchen	£75
An unmodernised bathroom/WC	£75
General disrepair	<u>£50</u>

£ Per Calendar Month £420

43. £1,600 per calendar month minus £420 per calendar month to equal £1,180 per calendar month (to equal, £272.31p per Week).
44. Turning to the question of scarcity, that is whether demand for such properties exceeds the supply, Mr Bladon says the property is in a very rural area so not many comparables, but we find no evidence that demand exceeds supply. Miss Trickett does not comment on the question of scarcity. The Rent Officer has made a deduction from its adjusted market rent of 4.97% (in effect, 5%) for the same. With its general knowledge of the lettings market in the area, the Tribunal has concluded there is no adjustment required for scarcity in this registration of fair rent. Accordingly, the uncapped fair rent is £272.50p per Week, when rounded up to the nearest 50 (Fifty) pence.
45. The Tribunal now addresses the question as to whether the Order (the capping legislation) applies per se. Mr Bladon says it does not as £20,851 has recently been spent on the recently installed uPVC double-glazed windows. Miss Trickett says it should apply as it is an agricultural tie. Neither party has addressed the valuation question under section 2(7) of the Order in their respective submissions, but the burden of proof to displace the Order lies with Mr Bladon.
46. The Order would not apply if works of repairs or improvements carried out at the property since the last registration of fair rent added more than 15% in value to the previous registration, i.e. 15% of £195 per week to equal £29.25 per week (an equivalent, £126.75 per calendar month).
47. Mr Bladon has offered no evidence to support his contention that the installation of the uPVC double-glazed windows has added more than 15% in value to the previous registration, therefore the Tribunal is obliged to find the Order does apply.
48. The Tribunal notes Mr Bladon's fair rent valuation to £1,658 pcm includes an adjustment of £100 pcm for no central heating. £100 pcm is an equivalent 6% (rounded) of £1,658.
49. Accordingly, the Tribunal determines the installation of uPVC double glazed windows at the property since the previous registration does not displace the Order.
50. Following what the Tribunal says above, it is required to calculate the maximum fair rent prescribed by the Order in which the sum attributable to services is 'nil'. The Tribunal has calculated the maximum fair rent prescribed by the Order to equal £220.50p (Two Hundred and Twenty Pounds and Fifty Pence) per Week, when rounded up to the nearest 50 (Fifty) pence.

Decision

51. Accordingly, the Tribunal determined the Fair Rent of the property to be re-registered at **£220.50p (Two Hundred and Twenty Pounds and Fifty Pence) per Week, to take effect from 26 February 2026.**
52. The capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 do apply because the rent determined at paragraph 39 above is greater than that prescribed by the Order.

RIGHTS OF APPEAL

1. A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making a written application by email to rpsouthern@justice.gov.uk to the First-tier Tribunal at the Regional office which has been dealing with the case.
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
3. If the person wishing to appeal does not comply with the 28 days' time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28 days' time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.
4. The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal and state the result the party making the application is seeking.