



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

Case Reference : BIR/00CT/F77/2025/0009

Property : 160 Summerfield Road, Solihull, West Midlands, B92 8PT

Tenant : Mrs S. Andrews

Landlord : West Ella Finance Limited

Landlord's agent : None

Date of Objection : 7 April 2025

Type of Application : Section 70 Rent Act 1977

Tribunal Members : I D Humphries B.Sc.(Est.Man.) FRICS
A Churchill B.Sc. MRICS

Date of Decision : 10 March 2026

DECISION

The sum of £775.50 per month will be registered as the Fair Rent with effect from 10 March 2026 being the date the Tribunal made the Decision.

REASONS FOR THE DECISION

Background

- 1 The Rent Officer registered a rent of £720.00 per month on 26 March 2025, effective from 3 May 2025. Following an objection from the Landlord 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 has considered the case based on the papers provided by the parties and having regard to its own knowledge, expertise and online research.

Description

- 3 From the submitted papers, the property comprises a 1930s semi-detached house with living room, kitchen, three bedrooms and bathroom. Outside it has a garage, off-road parking space, w.c., stores, front and back gardens.

Evidence

- 4 The Landlord objected to the Rent Officer's figure and provided a schedule of rents for 18 comparable properties. They assessed the rental value at £1,085.00 pcm based on the size of the accommodation (taken from EPC records) of 67 m² @ £16.19 / m².

From this, they deducted the following sums from the monthly rent:

Tenant's decorations throughout	£ 55.00
Tenant's carpets and curtains	£ 40.00
For the better condition of kitchens and bathrooms in comparable property	£ 80.00
Tenant's white goods	<u>£ 25.00</u>
Total	£200.00 pcm

They submitted that in their opinion there should be no deduction for scarcity and cited the decision of a differently constituted Tribunal where no scarcity deduction had been made (case ref. BIR/00CT/F77/2024/0030). They supported this view by citing another house to let in the area at 6 Tanhouse Farm Road with an asking rent of £14.41 / m² that had not been let and said in their view, there was an adequate number of houses to let in the locality.

- 5 The tenant did not make any specific comments based on comparable rental evidence but said that she had been a tenant in the house for 47 years and found it difficult to have repairs carried out by the landlord. The rent increase was substantial.

Determination and Valuation

- 6 The Tribunal considered the evidence provided by the parties and finds that in good repair, the full market rental value would be £1,300.00 pcm.
- 7 The tenant is responsible for internal decoration for which we deduct 5% of the market rent, £65.00 pcm
- 8 The tenant has installed the carpets and curtains for which we deduct £40.00 pcm and white goods for which we deduct a further £25.00 pcm.
- 9 The property is not as well modernised as other properties advertised to let, for which we deduct £80.00 pcm
- 10 The Tribunal has made an adjustment for scarcity using its own general knowledge and experience. The Tribunal considers that in the wider geographical area there is an imbalance of supply and demand impacting on rental values and has therefore made a deduction of 10% for scarcity.
- 11 The Tribunal's valuation is therefore as follows:

Market Rent	£1,300.00 pcm
<u>Less</u>	
Tenant's decorating liability	£ 65.00 pcm
Tenant's carpets and curtains	£ 40.00 pcm
Tenant's white goods	£ 25.00 pcm
Lack of modernisation	<u>£ 80.00 pcm</u>
	£ 1,090.00 pcm
Scarcity @ 10%	<u>£ 109.00 pcm</u>
	£ 981.00 pcm

Decision

- 12 The Fair Rent calculated by the Tribunal is £981.00 per month. The maximum fair rent permitted by the Rent Acts (Maximum Fair Rent) Order 1999 would have been £775.50 pcm but as this is more than the Tribunal's assessment it is of no effect. The calculation of the capped rent is shown on the decision form.
- 13 The Tribunal therefore determines the Fair Rent as £775.50 (Seven Hundred and Seventy Five Pounds Fifty Pence) per month with effect from 10 March 2026.

Chairman: I D Humphries

Date: 10 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

160 Summerfield Rd., Solihull, B92 8PT

The Tribunal members were:

I D Humphries B.Sc.(Est.Man.) FRICS
A Churchill B.Sc. MRICS

Landlord

West Ella Finance Ltd.

Tenant

Sandra Andrews

1. The fair rent is

£775.50

Per

month

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

2. The effective date is

10 March 2026

3. The amount for services is

N/A

Per

/not applicable

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

N/A

Per

/ not applicable

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

6. The capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 apply (please see calculation overleaf).

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

None

8. For information only:

The fair rent to be registered is the maximum fair as prescribed by the Rent Acts (Maximum Fair Rent) Order 1999. The rent that would have otherwise been registered was £981.00 per month.

Chairman

I D Humphries

Date of decision

10 March 2026

MAXIMUM FAIR RENT CALCULATION

LATEST RPI FIGURE x

PREVIOUS RPI FIGURE y

X Minus y = (A)

(A) divided by y = (B)

First application for re-registration since 1 February 1999 - 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 50 pence =

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 Committee'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.