



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

Case Reference	:	CAM/42UK/MNR/2025/0636
Property	:	1 Cargo Lane Bury St. Edmunds IP32 6FW
Applicants	:	Lyanne Powell & Caitlin Powell (Tenants)
Representative	:	None
Respondent	:	Sigma PRS Investments Bury St Edmunds Parcel D Limited (Landlord)
Representative	:	Simple Life Homes (Agent)
Type of Application	:	S.13 Housing Act 1988 Determination of a new rent
Tribunal	:	Mr N. Martindale FRICS
Date and venue of Meeting	:	7 May 2025 First Tier Tribunal (Eastern) County Court Cambridge CB1 1BA
Date of Decision	:	7 May 2025

REASONS FOR DECISION

Background

- 1 The First Tier Tribunal received an application originally of 7 March 2025, before the effective start date of the new rent sought, from tenants of the Property, regarding a notice of increase of rent served by the landlord, under S.13 of the Housing Act 1988 (the Act).
- 2 The notice dated 21 January 2025, proposed a new rent of £1350 per calendar month exclusive, with effect from and including 14 March 2025. This rent does not include other services.

- 3 The tenancy is now an assured periodic calendar monthly tenancy which originally began for a fixed 12 months term on 14 March 2024 for an initial rent of £1250 pcm. A copy was provided.
- 4 The rent payable up to and including 13 March 2025 was £1250 per calendar month.

Directions

- 5 Directions, dated 12 March 2025, for the progression of the case, were issued by Legal Officer Laura Lawless. Neither party asked for a hearing.

Inspection

- 6 There was no inspection. The Property is a 2 level semi detached house dating from around 2020. It has a very small front garden and a small rear garden including a freestanding timber shed. (Google Streetview March 2023). There is a single off-road parking place. There is no room for on street parking.
- 7 The house appears to be traditional construction, brick fair faced walls to front elevation with gable end, to 2 levels. The main roof is double pitched finished to concrete single lap tile. It is set within the a street of very similar, small modern houses, mainly two bedroom, on an estate of the same all dating from around 2020. The estate is on the northern side of the town of Bury.
- 8 The Property has 2 bedrooms to the first floor with the bathroom/WC; and ground floor 1 room, with kitchen. Central heating, with full double glazing, floor finishes and white goods are all apparently provided by the landlord.

Tenants' and Landlord's Representations

- 9 The tenant provided written submissions via the Application Form and the completed standard Reply Form and a covering email of 7 March 2025. The tenant referred to two houses to let: 1. 81 Merchant Avenue and 2. 23 Merchant Avenue. Both had been advertised since 2024, said to have been later removed and re-advertised several times. The last advertisement showing an asking rent of £1195 per calendar month. Both properties had been vacant since October 2024. They referenced a 'Rightmove advert' copy attached for reference.
- 10 Attached to the statement the Tribunal noted were 30No. A4 pages with information on properties to let. The information was noted as follows:
- 11 P.1 showed a generic house picture of a modern 2020's estate house looking very similar in the Tribunal's view to the Property. It was described as 'let agreed' and it was noted that the 'property has been

removed by the agent'. P.2 Had an asking rent at 8 February 2024 of £1250 pcm. (The start date of the previous tenancy at the Property had been 14 March 2024). It was a 2 bedroom terraced house. P.3,4,5,6 Referred to a private driveway white goods, carpets and curtains, just as at the Property. The page referred to 'Fornham Place'; not to Merchant Avenue. P. 4 referenced the general location.

- 12 P.7 Referred to 1 Cargo Lane (the Property) as available at £1250 from 8 March 2024. P.8 & P.9 had general disclaimers. P.10 was blank.
- 13 P.11 was identical to P.1.. P.11 had an asking rent at 19 February 2025 of £1195 pcm. It was a 2 bedroom terraced house. P.13 was identical to P.2 and again referenced Fornham Place. P.14 & 15 were as p.4 & 5. P.16 again referenced Fornham Place.
- 14 P.17 referred to '81 Merchant @£1195 reduced 19/2/25 Off market 27 February 2025.' P.18 & 19 disclaimers. P.20 blank.
- 15 P.21 as P.1 P.21 had an asking rent at 19 February 2025 of £1195 pcm. The details on p.23 referred to Fornham Place again as p.2 & 13. P.25 was the same as earlier corresponding pages. P.26 stated 'Merchant Avenue Bury St. Edmunds' but there was no other information. The remaining pages P.27 28 29 30 were repeats of earlier pages.
- 16 The respondent landlord provided a copy of the report by Ascend of Manchester based on Rightmove data. The report was undated but was said to be for properties 'marketed between 31.12.24 and 31 March 25 with a 2 mile radius of the Property postcode. It showed some 12No. small houses terraced, end or mid and semi-detached, to let. Many were under offer, most after relatively short marketing periods of between 4 and 6 weeks. The asking rents ranged from £1350 pcm to £1595. They were a mix of late nineteenth century and early twenty-first century homes, with a range of small gardens. Some with additional space over and above that at the Property, some older.
- 17 The Tribunal is grateful for such information as was provided by both parties in the application and in the standard Reply Forms.

Law

- 18 In accordance with the terms of S.14 of the Act we are required to determine the rent at which we consider the property might reasonably be expected to let in the open market, by a willing landlord, under an assured tenancy, on the same terms as the actual tenancy; ignoring any increase in value attributable to tenant's improvements and any decrease in value due to the tenant's failure to comply with any terms of the tenancy. Thus the Property falls to be valued as it stands; but assuming that the Property to be in a reasonable internal decorative condition.

Decision

- 19 From the Tribunal's own general knowledge of market rent levels in Bury St.Edmunds it determines that the subject Property would let on normal Assured Shorthold Tenancy (AST) terms, for £1350 per calendar month, fully fitted and in good order.
- 20 From the representations the Tribunal found nothing of significance to warrant any reduction from this figure. The new rent will therefore be £1350 pcm with effect from 14 March 2025.
- 21 Although the landlord is not obliged to charge this rent and may charge a significantly lower rent as a result of their own choice, policy, or governmental regulation; they may not charge more than this figure.

Chairman N Martindale FRICS

Date 7 May 2025

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

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 decision to the person making the application (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013).

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e., give the date, the property, and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).