



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

Case Reference	:	CAM/00MB/MNR/2025/0003
Property	:	26 Harbury Court Newbury West Berkshire RG14 7NQ
Applicant	:	Silviu-Cristian Vaideanu & Kiet Wai Chew (Tenants)
Representative	:	None
Respondent	:	Ian Ray & Joanne Ray (Landlords)
Representative	:	Downer & Co (Lettings) Ltd.
Type of Application	:	S.13 Housing Act 1988 Determination of a new rent
Tribunal Members	:	Mr N. Martindale FRICS
Date and venue of Meeting	:	16 March 2026 First Tier Tribunal (Eastern) County Court Cambridge CB1 1BA
Date of Decision	:	16 March 2026

REASONS FOR DECISION

Background

- 1 The First Tier Tribunal received an application dated 8 January 2026, before the effective start date of the new rent sought, from tenant 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 12 November 2025, proposed a new rent of £950 per calendar month from and including 9 January 2026. This rent does not include other services.
- 3 The tenancy is an assured periodic calendar monthly tenancy succeeding an earlier fixed term lease, with effect from and including 29 December 2022. A copy was provided.
- 4 The rent payable from up to and including 8 January 2026 was said to be £875 per calendar month.

Directions

- 5 Directions, dated 15 January 2026 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 two bedroom, one bathroom flat with kitchen and living room. It is on a middle (first) floor of a small low rise block (3 levels) constructed in the 1990's. There are internal communal stairwells and external communal gardens (Google Streetview June 2025). There is a modern purpose built building on an estate of similar modern low rise blocks.
- 7 The building within which the Property is located is finished to brick with double glazed windows and double pitched single lap tiled roof above. The surroundings are open space with landscaped car parking. It is assumed the tenant has use of a parking space on site. The accommodation is arranged 2 bedrooms (1 double, 1 single), living room, kitchen, bathroom WC with electrical storage heaters and water heating.

Tenants' Representations

- 8 The tenants provided written submissions via the Application Form and made separate statements about the Property. The tenants mention the following defects at the time of handover to them, which appeared to be in 2022. 1. marks and dents to most walls. 2. advanced wear and tear. 3. it was not clean. 4. white goods were old, worn and limited to washing machine/drier/ fridge, freezer. (The cooker hob and oven appeared to be built in). These shortcomings were raised with the letting agent at handover the notes to which seem to reference a general 'tiredness' at the Property.
- 9 The tenants noted that the heating system was an older style with electrical storage heaters and separate hot water storage. They found it less efficient and more expensive to run than the modern gas fired heating systems in many comparable flats to rent. Comparables are

priced higher to rent but, are better presented, with full gas fired central heating, modern kitchens, bathrooms and white goods.

- 10 The tenants found the Property small. The second bedroom could not be used a bedroom as it was too small. The tenants viewed it as a one bedroom flat with an ancillary room (the second bedroom) and that it should therefore be compared with smaller two bedroom flats with 1 double and 1 single bedroom or just as a one bedroom flat.
- 11 The tenant included some 19No. monochrome A4 and ½ A4 photographs; they were unlabelled, unnumbered. Many are detailed close ups but mainly without context pictures. One appears to show some wear to a door possibly to the front door, hinge side; another showing wear or dirt to a cooker top and dirt to a inside of a kitchen cupboard and another of a dirty or damaged area of carpet. It is understood that these photographs were taken in 2022, on entry.
- 12 The tenant did not provide details asking or let rental prices of similar modern flats locally. They believe the new rent should be £900 pcm.

Landlord's Representations

- 13 These were made through their agents. The landlords found that the tenants used the two largest rooms (the living room and double bedroom, both self contained) as bedrooms; the single bedroom being left as a store.
- 14 The landlord referenced the space and water heating, double glazing, carpets, curtains and white goods as provided on entry. They confirmed the off street parking and use of communal gardens.
- 15 The landlord referenced the rest of the estate, built by the same developer David Wilson Homes around 2000, mainly as flats with 2 bedrooms, living room, bathroom, kitchen.
- 16 They referred to recent new lettings at between £1050 and £1300 pcm on the same estate with £950 as *'significantly lower than these active market rates, providing a margin that accounts for the long term nature of the tenancy'*. They reference the location near Newbury Railway Station and Town Centre showing rental growth of between 3 to 5% pa. The agents consider that *'a rent of £950 is demonstrably reasonable and sits at the lower end of the private rental spectrum for this specific development'*.
- 17 The landlord includes a floor plan showing the size of the principal bedroom and living room both being self contained, with the smaller second bedroom being suitable for single occupancy only. The landlord includes some 6 pictures of the interior of the flat which shows a functional interior but not particularly modern interior.

- 18 The landlord references 3No. other flats in the estate one let at £1150 and another listed at £1200 pcm. These have the same water and space heating system as at the Property. They also reference the values for two bedroom flats in a wider Newbury market at between £1150 to £1250 pcm.
- 19 The landlord also included a copy of their 'Best Price Guide' showing listings and lettings in the same postcode from October 2024 to January 2026. There are 8No. listings in Hanbury Court with rents from £1100 to £1300 pcm; about half let, half still listed to let.
- 20 The Tribunal is grateful for such information as was provided by both parties in the application and standard Reply Forms and separate representations.

Law

- 21 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

- 22 From the Tribunal's own general knowledge of market rent levels sought and obtained in and around Newbury, it determines that the Property would let on normal Assured Shorthold Tenancy (AST) terms, for £1,250 per calendar month including any fixed service charge fully fitted and in good order.
- 23 From the representations it found that the Property was tired but functional. Although the Property has the less desirable electrical space and water heating system the bulk of comparables being on the same estate had the same system. The Tribunal makes an allowance of £150 pcm principally for this, from the wider market. The new rent will be therefore £1,100 pcm.
- 24 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 from the effective date, 9 January 2026.

Chairman N Martindale FRICS

Date 16 March 2026

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).