



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

Case reference : HAV/24UG/F77/2026/0004

Property : 18 St. Cross Road, Crondall, Farnham,
Surrey, GU10 5PQ

Applicant landlords : Ms S Porter and Ms L Porter

Representative : Ms S Porter MRICS

Respondent tenant : Mrs M Field

Representative : None

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

Tribunal members : Mr J G G Wilson MRICS
Mr C Davies FRICS

Date of consideration : 2 April 2026

Date of decision : 2 April 2026

DECISION

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Decision of the Tribunal

On 2 April 2026 the Tribunal determined a Fair Rent of £1,580.00p (One Thousand, Five Hundred and Eighty Pounds) per Calendar Month to take effect from 2 April 2026.

Background

1. On 7 November 2025 Ms Sonja Porter submitted the landlords' application for re-registration of Fair Rent ('RR1') to the Rent Officer to register a fair rent of £1,850.00p per Calendar Month for 18 St. Cross Road, Crondall, Farnham, Surrey, GU10 5PQ ('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 £1,071.00p per Calendar Month, effective from 26 February 2018.
4. At paragraph 11 of the RR1, the rent now is stated as 'Rent paid as set in your 2018 determination' which the Tribunal notes is £1,071.00p per Calendar Month.
5. A new rent of £1,246.50 per Calendar Month was registered by the Rent Officer, effective from 29 December 2025. The sums 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 a letter dated 22 January 2026 to The Valuation Office Agency ('the VOA') (sent to NSO Helpdesk (VOA)), sent by post and by email, Ms Porter submitted the landlords' 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 13 February 2026. The Tribunal considers it neither necessary nor proportionate in cases of this nature 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. Whereas Ms Porter on behalf of the landlords has given a Statement in accordance with the Tribunal's Directions, Mrs Field has not given a Statement.

The Property

12. 18 St. Cross Road is described in the Rent Register as a semi-detached house, circa 1945-1964 with full central heating and accommodation comprising: ground floor – one room, one kitchen/diner and one WC, first floor – three rooms and one bathroom/WC, and outside – garage, stores and garden.
13. In her Statement Ms Porter has confirmed that garaging is no longer provided. The photograph in the bundle of the parking area shows it is 'shared' with No. 19. The Tribunal understands the 'outside' now to comprise – unallocated off-street parking for 2/3 cars, gardens (front and rear), two brick-built stores and a shed.
14. From its view of the property on the internet, 18 St. Cross Road is of brick construction with a pitched tiled roof. Ms Porter has provided the Tribunal with external photographs of the property.
15. Crondall is to the northwest of Farnham, to the south of the A287. St. Cross Road is off Dippenhall Street and runs into Croft Lane.

The Tenancy Agreement

16. In her letter to the VOA dated 27 February 2026, Ms Porter says there is no written tenancy agreement for this letting. From the Rent Register the Tribunal understands it commenced in September 1995.
17. 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 Statement

18. 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.
19. In addition to the RR1 with its covering letter dated 7 November 2025, Ms Porter has submitted her Statement dated 27 February 2026 and a letter to the VOA dated 22 January 2026, both with further submissions, which include comparable lettings' evidence given on behalf of the landlords.
20. Ms Porter says the information in the Rent Register is not accurate and says, '...garaging is no longer provided...There is now a large parking area for 2/3 cars immediately adjoining the house/garden. New shed in garden replaces the garage storage.'

Ms Porter's Statement

21. Under 'Features', Ms Porter says the landlords have provided central heating, double glazing, off-street parking and private gardens. Under 'other', Ms Porter goes on to say 'See attached details and description above. Two brick-built stores attached to house and a garden shed.' The description includes '...gardens to front and rear...'
22. In her letter to the VOA dated 22 January 2026, Ms Porter sets out her argument to request the Tribunal to determine the fair rent at £1,616 per calendar month based on the capping legislation. The letter comprises paragraphs with headings: introduction, the property – which includes a description of the house, the village of Crondall and its amenities, market rent – a schedule of comparable three-bedroom properties in the area and confirmation, pursuant to discussions with local lettings' agents, the market rent to be in the region of £1,850 pcm to £1,900 pcm, tenant's improvements – there are none, scarcity – there is no imbalance between supply and demand in the area for three-bedroom properties, maximum fair rent – computation to £1,616 pcm based on the RPIs for February 2018 and November 2025, Council Tax and Service Charges – the Tribunal is not required to consider these, and conclusion – the market rent is in the range of £1,850 pcm to £1,900 pcm, accordingly the capping legislation applies (in her subsequent letter sent to the Tribunal dated 27 February 2026 Ms Porter's assessment of the market rent is in the range of £1,900 pcm to £1,950 pcm), the maximum fair rent is to be registered at £1,616 pcm as per the computation provided.
23. Under 'Improvements', Ms Porter says the tenant keeps the property in good order and has not carried out any improvements to the property. Ms Porter adds central heating and double glazing were installed by the landlords 10-15 years ago and the boiler was replaced by the landlords in March 2025. At this juncture the Tribunal notes whereas the installation of central heating and double glazing are improvements within the meaning of the legislation, the replacement of a boiler are works of day-to-day maintenance which are the responsibility of the landlords in any event.
24. Under 'Disrepair/Defects' Ms Porter says the structure of the property is in good order. There is a minor issue with cracking to the rear elevation bedroom wall. The kitchen and bathroom equipment fittings are old, but functional and in good working order. Ms Porter concludes to say, 'Tenant maintains décor and provide white goods as per S11 Landlord and Tenant Act 1985 [sic].'
25. Under 'Any Other Comments', Ms Porter says, 'The property is located on the edge of this desirable village with extensive views over the surrounding countryside. The village has a shop, two churches, a school, doctors' surgery, café and a lively community.'
26. Under 'Your assessment of the rental value of the property', Ms Porter has attached a schedule of comparable market evidence with associated lettings details to assist the Tribunal. The headings in the columns of the schedule are: property name, description, rooms (including in some cases an area (basis of measurement not specified)), outdoor facilities, furnished, responsibility for repairs and redecorations, rent – per

calendar month, marketed (understood by the Tribunal to be the month in which the property was let) and comment(s).

27. There are eight (8) properties in the schedule with rental values ranging from £1,795 pcm to £2,475 pcm. The dates range from May 2023 to February 2026. Ms Porter has highlighted property 4 as the 'best comparable.' Property 4 is described as a three-bedroom, end of terrace house in St. Cross Road, with front and rear gardens, off-street parking, unfurnished, section 11 of the 1985 Act applies and let in January 2025 for £1,900 pcm. Under 'comment', Ms Porter says the property is similar to the subject but is situated in a less attractive location. In the copy lettings' particulars provided, the property is described as, 'In the delightful and highly sought after village of Crondall a three-bedroom end of terrace property with living room and open plan kitchen/dining room. Situated in a private enclosed corner plot with garden, garage and parking for several vehicles.'
28. Ms Porter comments on the outline, comparable evidence in the Rent Officer's bundle. Ms Porter does not consider that properties in urban areas circa eight to nine miles distant from the subject property to be comparable to this village location.
29. Ms Porter confirms the maximum fair rent order should be applied as no extensive improvement works have been carried out to the property since the Rent Officer's last determination.
30. Under 'Whether the demand for such properties exceeds supply', Ms Porter says there is a good supply of similar sized houses in the village and the surrounding countryside and that in her conversations with local lettings' agents, the agents do not consider there is a scarcity of supply of comparable properties in the area.

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.' Ms Porter has confirmed no extensive improvement works have been carried out to the property since the last registration of fair rent. The Tribunal expands briefly 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 landlords' 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 which the landlords could reasonably expect to receive on the valuation date, 2 April 2026, on the assumptions the property was in good condition, with carpets (flooring coverings), curtains and white

goods provided by the landlords.

38. The Tribunal has been provided with a screenshot of the Rent Officer's comparable lettings of twelve (12) semi-detached, four-room houses in the GU10, Blackwater Valley, postcode. The market rents range from £1,000 per Month to £2,500 per Month. The date range is from June 2025 to November 2025.
39. In addition, the Tribunal has been provided with Ms Porter's comparable lettings' evidence, which is outlined in paragraphs 22, 26 and 27 above. Ms Porter has assessed the market rent to be in the range of £1,900 per calendar month to £1,950 per calendar month.
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 £1,800 per calendar month, before any adjustment(s) which it deemed appropriate to be applied.
41. From the submissions given by the landlords, 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 carpets (floor coverings) and curtains, (2) the tenant's provision of the White Goods, (3) the tenant's internal decorations' obligation, (4) the unmodernised kitchen, and (5) the unmodernised bathroom/WC and WC.
42. The Tribunal concluded that a deduction in aggregate of £220 per calendar month is to be applied to the market rent, made up of as follows:
- | | |
|-------------------------------------------|-------------|
| No Carpets (floor coverings) and Curtains | £50 |
| Tenant's provision of the White Goods | £45 |
| Tenant's internal decorations' obligation | £25 |
| Unmodernised kitchen | £50 |
| Unmodernised bathroom/WC and WC | <u>£50</u> |
| £ Per Calendar Month | £220 |
43. £1,800 per calendar month minus £220 per calendar month to equal £1,580 per calendar month.
44. Turning to the question of scarcity, that is whether demand for such properties exceeds the corresponding supply, Ms Porter has addressed the valuation question and has supported her opinion that there is no imbalance between supply and demand in the area with both evidence of quantum of properties available to let, and local lettings agents' opinion.
45. Whereas the Rent Officer has made a deduction for scarcity from its adjusted market rent of £138.50p per Calendar Month (10%), with its general knowledge of the lettings market in the area, coupled with Ms Porter's evidence on the subject, the Tribunal has concluded there is no adjustment required for scarcity in this registration of fair rent. Accordingly, the uncapped fair rent is £1,580 per Calendar Month.

46. The Tribunal is required to calculate the maximum fair rent prescribed by the Order in which the sum attributable to services in this application is 'nil'. The Tribunal has calculated the maximum fair rent prescribed by the Order to equal £1,662.50p (One Thousand, Six Hundred and Sixty-Two Pounds and Fifty Pence) per Calendar Month, when rounded up to the nearest 50 (Fifty) pence.

Decision

47. Accordingly, the Tribunal determined the Fair Rent of the property to be re-registered at **£1,580.00p (One Thousand, Five Hundred and Eighty Pounds) per Calendar Month, to take effect from 2 April 2026.**
48. The capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 do not apply because the rent determined at paragraph 43 above is below 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.