

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/00HE/MNR/2026/0028
Property	Elenmar Newham Road Newham Truro Cornwall TR1 2SU
Tenant	Mr A Price
Tenant's Representative	None
Landlord	Mountview Estates Plc
Landlord's Address	
Landlord's Representative	None
Date of Application	1st February 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	I R Perry FRICS S J Hodges FRICS
Date of Decision	23rd April 2026
Rent Determined	£2,520 per quarter
Date the new rent takes effect	24th June 2026

REASONS FOR THE DECISION

Background

1. On 13th January 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2,500 per quarter, equating to £833.33 per month, in place of the existing rent of £2,300 per quarter, equating to £766.66 per month.
2. Market rents are usually quoted on a monthly basis.
3. On 1st February 2026, under Section 13(4)(a) of the Housing Act 1988, the Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of a market rent.
4. The assured tenancy commenced in February 1999 by succession.

Allocation of Repairs between Landlord and Tenant.

5. None.

Services Charges or furniture provided by Landlord (other than carpets and curtain and white goods specified below) and the costs relating to the same.

6. None.

Liability for Council Tax

7. The Tenant is responsible for the payment of Council Tax in respect of the Property. The rent determined is exclusive of Council Tax.

Any other terms of the tenancy taken into consideration in determining the rent.

8. None

Inspection/Hearing

9. Neither party requested an oral hearing. The Tribunal has considered this case on the basis of the papers provided by the parties and its own knowledge and specialist expertise.

The Property

10. The Property a semi-detached house comprising 2 living rooms, kitchen, 3 bedrooms, bathroom with wc, utility and store. The utility and store are unheated. Outside there are gardens to front and rear.

Evidence

11. Both the Tenant and the Landlord submitted evidence.

The Tenant.

12. The Tenant made the following comments and provided a number of supporting photographs.
 - a) The property is situated in a predominantly industrial area.
 - b) The property was improved in 1999 including double glazing and night store heating.
 - c) There have been a number of historic management issues.
 - d) The main bedroom floor was left in poor condition.
 - e) The night store heating is old.
 - f) Access is via a track in poor condition and there is no parking space.
 - g) An adjoining property is used as a base for asbestos removal.
 - h) The Tenant provides carpets curtains and white goods.

The Landlord

13. The Landlord made the following pertinent comments:
 - a) The Landlord does not have ownership or control of the access road.
 - b) The Tenant chooses to live in that area.
 - c) The Landlord has discounted the asking rent to reflect the heating.
14. Relying on its own expert, general knowledge of rental values in the area the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £1,300 per month.
15. This is the rent we would expect the property to let for in the open market if it was in the same general condition as the comparable properties including having white goods, flooring and curtains provided by the landlord.
16. From this level of rent, the Tribunal has made adjustments in relation to the following:

- a) Location and access.
- b) Tenants provision of white goods.
- c) Tenants provision of carpets and curtains
- d) Poor heating
- e) Dated bathroom
- f) Dated kitchen
- g) General wants of repair.

The full valuation is shown below:

Starting Rent £1,300 pcm

Less

a) Items given under a) above	£200
b) Items given under b) above	£30
c) Items given under c) above	£50
d) Items given under d) above	£50
e) Items given under e) above	£50
f) Items given under f) above	£50
g) Items given under g) above	<u>£30</u>
Total deduction per month	£460

Market rent £840 pcm

Undue hardship

17. The new rent takes effect from the date specified in the Landlord's Notice of Increase unless that would cause undue hardship to the tenant. In cases of undue hardship, the Tribunal has a discretion to fix a later starting date up to the date a Tribunal makes its determination. No application has been received in respect of hardship

Decision

18. Therefore, the Tribunal determines the market rent at £2,520 **per quarter** with effect from 24th June 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.