



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

Case reference : **CAM/12UB/F77/2026/0006**

HMCTS code : **A:BTMMREMOTE**

Property : **8 Supanee Court, Frenchs Road,
Cambridge, CB4 3LB**

Applicant (Landlord) : **Rural Portfolio Ltd**

Respondent (Tenant) : **S Lawrence**

Type of application : **Determination of a fair rent under
section 70 of the Rent Act 1977**

Tribunal members : **Peter Roberts FRICS CEnv**

Date of Determination : **6 July 2026**

DECISION

Description of hearing

This has been a remote determination on the papers which the parties are taken to have consented to, as explained below. The form of determination was a telephone hearing described above as A:BTMMREMOTE. The documents that the Tribunal was referred to are in bundles from the Applicant and the Respondent. The Tribunal has noted the contents and the decision is below.

Decision

The Tribunal determined a fair rent of £1,192 per month effective from the date of this Determination.

Reasons

Background

1. On 18 December 2025 the Landlord made an application to register the rent of the Property at £1,233 per month. This application stated that no services are provided by the Landlord. However, it is plain from the documents provided by the Rent Officer that this rent is in fact inclusive of a service charge.
2. The Rent Officer registered a Fair Rent of £1,180 per month inclusive of a service charge of £46.86 per month on 19 February 2026 effective from the same date. This was in lieu of the previous registered rent of £1,135 per month which was inclusive of a service charge of £41.99 per month which was registered on 1 February 2024 and effective from the same date.
3. The Landlord's agent objected by way of an email dated 24 February 2026 and the matter was referred to the First-Tier Tribunal, Property Chamber.
4. The Tribunal issued directions on 18 March 2026, inviting the parties to submit any further representations (including any photographs and details of rentals for similar properties) they wished the Tribunal to consider.

The Property

5. The Tribunal has relied upon the submissions of the Tenant together with information provided by the Rent Office and that available in the public domain.
6. The Tribunal understands that the Property comprises a second floor/top floor flat within a purpose-built apartment block constructed in 1976. Save for the works explicitly referred to within this Determination, the Property is essentially in the same state and condition as when completed and has not, therefore been modernised or refurbished.
7. The accommodation comprises a living room, kitchen, two bedrooms and a bathroom. There are no shower facilities. Heating is by means of electric panels and there is partial double glazing. There are no gardens but allocated covered car parking is available.

The Law

8. The relevant law is set out in section 70 of the Rent Act 1977 (the Act) and The Rent Acts (Maximum Fair Rent) Order 1999 (the Order).
9. Section 70 (1) of The Act provides that in assessing the rent:

“regard shall be had to all the circumstances (other than personal circumstances) and in particular to—

- i. the age, character, locality and state of repair of the dwelling-house,*
- ii. if any furniture is provided for use under the tenancy, the quantity, quality and condition of the furniture and*
- iii. any premium, or sum in the nature of a premium, which has been or may be lawfully required or received on the grant, renewal, continuance or assignment of the tenancy.”*

10. Section 70 (2) of the Act provides that

“...there shall be disregarded

- i. any disrepair or other defect attributable to a failure by the tenant under the regulated tenancy or any predecessor in title of his to comply with any terms thereof;*
- ii. any improvement carried out, otherwise than in pursuance of the terms of the tenancy, by the tenant under the regulated tenancy or any predecessor in title of his*
- iii. if any furniture is provided for use under the regulated tenancy, any improvement to the furniture by the tenant under the regulated tenancy or any predecessor in title of his or, as the case may be, any deterioration in the condition of the furniture due to any ill-treatment by the tenant, any person residing or lodging with him, or any sub-tenant of his.”*

11. In addition, section 70 (2) of The Act requires the Tribunal to assume:

“that the number of persons seeking to become tenants of similar dwelling-houses in the locality on the terms (other than those relating to rent) of the regulated tenancy is not substantially greater than the number of such dwelling-houses in the locality which are available for letting on such terms.”

12. This latter provision requires the Tribunal to assume that the demand for similar rented properties in the locality does not significantly exceed the supply of such properties for rent; in effect, if such scarcity exists, the Tribunal is to adjust the rental figure so that the fair rent is not affected by it.

13. Relevant case law comprises *Spath Holme Ltd v Chairman of the Greater Manchester etc. Committee* (1995) 28 HLR 107 and *Curtis v London Rent Assessment Committee* [1999] QB 92, in which the Court of Appeal confirmed that for the purposes of determining the market rent (before making any necessary adjustments), open market assured tenancy rents are usually appropriate comparables.

14. Section 72 of The Act provides that, where the rent is determined by the Tribunal, the registration of that rent takes effect from the date the Tribunal makes their decision.
15. The Order provides that the registered rent may not exceed the capped rent. The formula for the calculation of the capped rent is set out at section 2 of the Order.

Representations – Tenant

16. Unlike the Landlord, the Tenant completed and submitted the Reply Form from which the Tribunal notes the following:
17. The Tenant installed double glazing in 2005 and new flooring to the lounge and first bedroom in 2021. The only improvement made by the Landlord comprises the installation of a new bathroom basin and WC in 2020. The cooker and fridge belong to the Landlord, but carpets and curtains belong to the Tenant. Other than this, the Property remains as first constructed in 1976
18. The Tenant did not provide any transactional evidence or opinions as to the rent payable.

Representations – Landlord

19. The Landlord was represented by Savills. In this regard, Savills completed the Application for Registration of Fair Rent and requested a new rent of £1,233 per month. However, following the decision of the Rent Officer to adopt a rent inclusive of service charges of £1,180 per month, the objection stated:

“Please find attached rent review that we would like to appeal. Reason being is that it needs to be 20% increase from the current rent of £1,135 per month [(i.e. £1,362 per month)].

20. No reasons or evidence for increasing the requested rent required by the Landlord from £1,233 per month to £1,362 per month were provided. In addition, no submissions were made and neither Savills nor their client have taken any part in these proceedings.
21. The Landlord’s agent has therefore provided nothing to explain their position or assist the Tribunal.

Determination

22. The first step is to determine the rent which a landlord could reasonably expect to obtain for the Property in the open market if it were let today in the condition and on the terms now usual for open market lettings. The rent currently paid is not relevant to this exercise. Notwithstanding this, the Tribunal would point out that rents have increased over recent months.

23. The Tribunal is required to assume that both the Tenant and the Landlord have fulfilled their responsibilities in respect of repair, decoration and maintenance for the purposes of assessing the rental value. However, the Tribunal is able to take account of outstanding defects and other matters that have not arisen as a result of a lack of repair.
24. Neither of the Parties have provided any evidence of asking or achieved rents. It is therefore necessary for the Tribunal to make its own enquires and exercise its judgement.
25. On the assumption that the Property was fully refurbished and fitted to modern standards/requirements including full central heating, curtains, carpets, new kitchen and bathroom fixtures, and redecorated throughout, the Property would attract a rent in the market of about £1,500 pcm.
26. However, the Property requires modernisation and refurbishment, and the works undertaken by the Tenant are to be disregarded. The Tribunal has therefore deducted 5% for the lack of modernisation and central heating, 2.5% each on account of the lack of landlord supplied carpet and curtains, 2.5% to reflect that the Tenant has carried out the redecoration rather than the Landlord and a further 5% to reflect that modern leases typically limit the repair obligations.
27. The Tribunal has then considered whether there should be an adjustment for “scarcity” and decided that a 5% allowance is warranted.
28. The “uncapped” Fair Rent, exclusive of the Service Charge is therefore £1,191 per month.
29. The provisions of the Rent Acts (Maximum Fair Rent) Order 1999 require that the registered rent is either the capped Fair Rent, details of which are attached to the decision notice, or the Fair Rent decided by the Tribunal whichever is the lower.
30. Once RPI is applied to the current passing rent in accordance with the provisions of the Order, the capped rent, net of the service charge, is £1,256 per month. This is higher than the Fair Rent assessed by the Tribunal.
31. The capped rent calculated by the Tribunal may be higher or lower than that calculated by the Rent Officer dependent upon the extent to which the RPI index has changed since the Rent Officer made their determination.
32. Therefore, the Fair Rent assessed by the Tribunal of **£1,192 per month plus the Service Charge of £46.86 per month which totals £1,238.86** is to be registered.
33. The Parties should note that the Tribunal has not determined the amount of Service Charge to be payable and separate procedures apply should that be in dispute.

Name: Peter Roberts FRICS CEnv

Date: 6 July 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 a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

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).