

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/00HG/MNR/2025/0784
Property	Flat 4 151 Armada Way Plymouth Devon PL1 1HZ
Tenants	Mr Z & Mrs M Momand
Tenant's Representative	None
Landlord	Resurgam West End
Landlord's Address	Ground Floor 4 Southernhay West Exeter EX1 1JG
Landlord's Representative	Martin & Co
Date of Application	29th September 2025
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	8th June 2026
Rent Determined	£900 per calendar month
Date the new rent takes effect	8th October 2025

REASONS FOR THE DECISION

Background

1. On 4th September 2026 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,000 per calendar month (“pcm”) for the Property in place of the existing rent of £847.50 pcm to take effect from 8th October 2025.
2. On 29th September 2025, 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.
3. The assured tenancy commenced on 8th November 2021.

Allocation of Repairs between Landlord and Tenant.

4. The Landlord is responsible for repairs.

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

5. White goods, TV, Sofa and a dining table.

Liability for Council Tax

6. 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.

7. None

The Property

8. The Property is stated to be a ‘student flat’ comprising a living room, kitchen, 3 bedrooms and 4 bathrooms. There is no outside space or parking.
9. The accommodation has partial central heating.

Evidence

10. The Tenant provided an application form, a Rent Appeal Statement and supporting photographs.

The Tenant.

11. The Tenant made the following submissions/comments with supporting photographs:
 - a) Carpets are very dirty. Curtains are not provided.
 - b) Windows are a very old design and in winter let in cold and rain.
 - c) The entrance door system to the block breaks down at intervals allowing homeless to sleep in common stairways.
 - d) The common parts are scheduled to be cleaned monthly, but this does not always happen.
 - e) The proposed increase to £1,000 pcm would cause financial hardship.
 - f) A new rent of £900 pcm would be fair and more in line with local rental values.
 - g) The flat is affected by mould and fungus in winter.
 - h) Two rooms have no heating.
 - i) The bathroom and kitchen fittings are old and in poor condition

The Landlord's Agent.

12. The Landlord's Agent made a case management application on 18th November 2025 requesting an extension of the deadline to submit evidence.
13. The Tribunal had issued directions on 29th October 2025 requiring the Landlord to send their completed statement to the Tenant and the Tribunal by 12th November 2025. The Tribunal had received this on 17th November 2025.
14. On 22nd December 2025 the Tribunal considered this and determined that the excuse offered by the Agent was insufficient to grant the extension.

Determination and Valuation

15. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided by the Landlord's Agent, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £1,150 pcm. 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) Incomplete heating and lack of modern windows.
- b) Lack of curtains.
- c) Anti-social issues due to poor management of entry system.
- d) Dirty carpets.
- e) Lack of maintenance/mould.

The full valuation is shown below:

Starting Rent	<u>£1,150 pcm</u>
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Less

a) Items given under a) above	£75	
b) Items given under b) above	£20	
c) Items given under c) above	£75	
d) Items given under d) above	£30	
e) Items given under e) above	£50	<u>£250</u>

Market rent	£900 pcm
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Undue hardship

- 12. 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.
- 13. The Tenant had raised the issue of hardship without providing detailed information as to household income and expenditure. The Tenant had also suggested that a rent of £900 pcm was fair and realistic.
- 14. The Tribunal determined that there was an insufficient case to determine a different date for the implementation of the new rent.

Decision

- 15. Therefore, the Tribunal determines the market rent at £900 per calendar month with effect from 1st April 2026, this being the date specified in the Notice.

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.