

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/00ML/MNR/2026/0068
Property	199 Nevill Avenue Hove BN3 7NG
Tenants	Ms S Way
Tenant's Representative	None
Landlord	The Rosaz Charity
Landlord's Address	134 Woodland Avenue Hove BN3 6SD
Landlord's Representative	Dean & Co
Date of Application	15th March 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	8th June 2026
Rent Determined	£1,700 per calendar month
Date the new rent takes effect	1st April 2026

REASONS FOR THE DECISION

Background

1. On 16th February 2026 the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,700 per calendar month ("pcm") for the Property in place of the existing rent, stated to be £1,500 pcm, to take effect from 1st April 2026.
2. On 15th March 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.
3. The tenancy commenced in 1996 and is said to be a periodic tenancy.

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. None.

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 semi-detached house comprising a living/dining room, kitchen, cloakroom with wc, 3 bedrooms and bathroom with wc. Outside there are gardens to front and rear, a garage and off-road parking.

Evidence

9. The Tenant provided an application form, the Landlord's Agent provided a reply form and the Tenant then provided a reply form.

The Tenant.

10. The Tenant made the following submissions/comments including some photographs:
 - a) She has lived in the property for 30 years.
 - b) That the existing rent is only £1,375.
 - c) She refers to the third bedroom as a boxroom but states its dimensions as 2.2m x 1.7m.
 - d) That a market rent should be £1,375- £1,450 pcm.
 - e) That the proposed rent would cause significant financial strain given the poor condition and inefficient heating.
 - f) Photographs showing a flat roof in poor repair, a mis-matched bathroom suite, rusting radiators, broken light fitting.
 - g) Details of 2-bedroom properties available to rent.
 - h) A list of historical management issues.
 - i) Defects including persistent damp in bathroom, draughts and poor EPC rating – 'D'.
 - j)

The Landlord

11. The Landlord's Agent made the following submissions/comments:
 - a) The Agent submitted an unsigned Assured Shorthold Tenancy Agreement which included a rent of £1,500 pcm.
 - b) A history of the circumstances leading to the tenancy.
 - c) Details of 3-bedroom properties available to rent.

Determination and Valuation

12. The disparity between the Parties in respect of the existing rent is irrelevant to the Tribunal decision of a new rent based on current market conditions.
13. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided by the Parties, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £1,900 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.

14. From this level of rent, the Tribunal has made adjustments in relation to the following:

- a) The Tenant's provision of white goods.
- b) The Tenant's provision of carpets and curtains
- c) Dated bathroom fittings
- d) General wants of repair and maintenance

The full valuation is shown below:

Starting Rent	<u>£1,900</u> pcm
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Less

- | | | |
|-------------------------------|-----|-------------|
| a) Items given under a) above | £30 | |
| b) Items given under b) above | £60 | |
| c) Items given under c) above | £50 | |
| d) Items under d) above | £60 | <u>£200</u> |

Market rent	£1,700 pcm
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Undue hardship

15. 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.
16. The Tenant has stated that an increase would cause financial strain but no evidence of income or expenditure as evidence that the new rent will cause undue hardship in respect of hardship.

Decision

17. Therefore, the Tribunal determines the market rent at £1,700 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.