



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

Case Reference : **BIR/OOCN/F77/2026/0005**

Property : **46 Hillaries Road
Birmingham
B23 7QT**

Tenant : **Mr D Tejada**

Landlord : **Sanctuary Housing**

Date of Objection : **22nd December 2025**

Type of Application : **Section 70 Rent Act 1977**

Tribunal Members : **Mr G S Freckelton FRICS (Chairman)
Mr A Churchill BSc MRICS**

Date of Decision : **3rd July 2026**

Date of Issue : **27 July 2026**

DECISION

The sum of £130.50 per week will be registered as the fair rent with effect from 3rd July 2026 being the date the Tribunal made the Decision.

REASONS FOR THE DECISION

Background

1. Following an objection from the landlord to the determination of a fair rent by the Rent Officer, the Tribunal has made a determination under the provisions of the Rent Act 1977.

Inspection

2. The Tribunal did not inspect the property but considered this case on the basis of the papers provided by the parties and having regard to its own knowledge, expertise and online research.

Evidence

3. The Tribunal has considered the limited submissions provided by the parties as received.
4. From the information provided it appears that the subject property comprises of a terraced house with the following accommodation:

Ground Floor: Two living rooms, kitchen, store and rear lobby.

First Floor: Three bedrooms and bathroom/W.C.

Outside: Garden

There is understood to be full central heating.

5. Neither party made any submission to the Tribunal.

Determination and Valuation

6. On consideration of the information provided to it by the Rent Officer and the Tribunal's own expert knowledge of rental values in the area, the Tribunal considers that the open market rent for the property in a satisfactory condition would be in the region of £190.00 per week.

From this level of rent, the Tribunal has made adjustments in respect of the following:

- a) Curtains, carpets and white goods assumed to be fitted by the Tenant.
- b) The Tenant's liability to redecorate.

7. The Tribunal has also considered the question of scarcity using their own general knowledge and experience. The Tribunal considers that in the wider geographical area there is not an imbalance of supply and demand impacting on rental values and has, therefore, not made a reduction for scarcity.

8. The full valuation is shown below:

Market Rent	£190.00
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Less

a) Items given under a) above	£50.00
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b) <u>Tenant's internal decoration liability @ 5%</u>	<u>£9.50</u>
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£59.50

£130.50

9. The Tribunal determines an uncapped rent of £130.50 per week.

Decision

10. The uncapped fair rent determined by the Tribunal, for the purposes of section 70, is therefore £130.50 per week from 3rd July 2026. The maximum fair rent permitted by the Rent Acts (Maximum Fair Rent) Order 1999 is £138.50 per week. This therefore has no impact on the rent determined by the Tribunal because it is above the fair rent of £130.50 determined by the Tribunal. The calculation of the capped rent is shown on the decision form.

Chairman: G S Freckelton FRICS

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.

Notice of the Tribunal Decision

Rent Act 1977 Schedule 11

Address of Premises

46 Hillaries Road
Birmingham
B23 7QT

The Tribunal members were

Mr G S Freckelton FRICS
Mr A Churchill BSc MRICS

Landlord

Sanctuary Housing

Tenant

Mr D Tejada

1. The fair rent is

£130.50

Per

week

(excluding water rates and council tax
but including any amounts in paras
3&4)

2. The effective date is

3rd July 2026

3. The amount for services is

N/A

Per

Not applicable

4. The amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance is

N/A

Per

N/A

Not applicable

5. The rent is/is not to be registered as variable.

6. The capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 apply/~~do not apply~~ (please see calculation overleaf).

7. Details (other than rent) where different from Rent Register entry

8. For information only:

The fair rent to be registered is not limited by the Rent Acts (Maximum Fair Rent) Order 1999, because it is below the maximum fair rent of £7,428.64 permitted by the Order.

Chairman

G S Freckelton FRICS

Date of decision

3rd July 2026

MAXIMUM FAIR RENT CALCULATION

LATEST RPI FIGURE	X	415.3
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PREVIOUS RPI FIGURE	Y	376.6
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X	415.3	Minus Y	376.6	= (A)	38.7
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(A)	38.7	Divided by Y	376.6	= (B)	0.1027
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First application for re-registration since 1 February 1999 ~~YES/NO~~

If yes (B) plus 1.075 = (C)	
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If no (B) plus 1.05 = (C)	1.1527
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Last registered rent*	£120.00	Multiplied by (C) =	£138.32
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***(exclusive of any variable service charge)**

Rounded up to nearest 50p =	£138.50
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Variable service charge	No
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If YES add amount for services

MAXIMUM FAIR RENT =	£138.50	Per	week
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Explanatory Note

1. The calculation of the maximum fair rent, in accordance with the formula contained in the Order, is set out above.
2. In summary, the formula provides for the maximum fair rent to be calculated by:
 - (a) increasing the previous registered rent by the percentage change in the retail price index (the RPI) since the date of that earlier registration and
 - (b) adding a further 7.5% (if the present application was the first since 1 February 1999) or 5% (if it is a second or subsequent application since that date).

A 7.5% increase is represented, in the calculation set out above, by the addition of 1.075 to (B) and an increase of 5% is represented by the addition of 1.05 to (B).

The result is rounded up to the nearest 50 pence.
3. For the purposes of the calculation the latest RPI figure (x) is that published in the calendar month immediately before the month in which the Tribunal's fair rent determination was made.
4. The process differs where the tenancy agreement contains a variable service charge and the rent is to be registered as variable under section 71(4) of the Rent Act 1977. In such a case the variable service charge is removed before applying the formula. When the amount determined by the application of the formula is ascertained the service charge is then added to that sum in order to produce the maximum fair rent.