

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/37UH/MNR/2025/0777
Property	16 Beaufort Close Fernwood Newark NG24 5AG
Tenant	Melissa Tatley
Tenant's Representative	
Landlord	Sigma PRS (Fernwood) OPCO Limited
Landlord's Address	c/o 1 St Ann Street Manchester M2 7LR
Landlord's Representative	
Date of Application	3rd August 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr G S Freckelton FRICS (Chairman) Mrs K Bentley
Date of Decision	17th July 2026
Rent Determined	£1,225.00 per calendar month
Date the new rent takes effect	8th August 2025

REASONS FOR THE DECISION

Background

1. On 14th June 2025 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,250.00 per month in place of the existing rent of £1,175.00 to take effect from 8th August 2025.
2. On 3rd August 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 August 2024 for a term of twelve months. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant.

4. As per section 11 of the Landlord and Tenant Act 1985.

Services Charges or furniture provided by Landlord (other than carpets and curtains 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.

Inspection/Hearing

8. 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.
9. The Property is a terraced house offering the following accommodation:

Ground Floor: One living room, kitchen/dining area, bathroom and W.C.

First Floor: Two double bedrooms (1 en-suite), one single bedroom.

Outside: Garden. Parking for 2 vehicles.

The Property benefits from central heating and double glazing.

Carpets and curtains are part provided by both parties. White goods are provided by the landlord.

Evidence

10. The tenant submits:
 - a) That the front guttering has had numerous leaks.
 - b) Window vents fall off and have to be re-attached.
 - c) The rear garden lawn has been replaced as it becomes waterlogged.
 - d) There were cracks to the side of the staircase but they could not be fixed until the 12-month settling in period had elapsed.
 - e) Other properties on the development were being advertised for a lower rental.
 - f) That rentals were being increased every year.
 - g) The next-door property was advertised at £30.00 per month lower than the rent presently paid.
 - h) She had been told that some plots were advertised with incentives but that these were 'plot specific'.
11. The tenant attached advertising details for several properties on the development. These reflected rentals of £995.00 - £1,345.00 per month.
12. The landlord submits:
 - a) That the property forms part of a 'built to rent' development of sixty new homes of which a number are of the same type.
 - b) Rents achieved on similar house types include:
 - 1) 17 Beaufort Close - £1,250.00 per month.
 - 2) 10 Beaufort Close - £1,240.00 per month.
 - 3) 19 Lysander Place - £1,240.00 per month.
 - 4) 24 Elsham Place - £1,235.00 per month.
 - 5) 15 Kelstern Lane - £1,250.00 per month
 - c) On this basis the landlord submitted that the proposed rental was accurate.
13. The Tribunal considered the written submissions were provided by the parties. The Tribunal notes that although the landlord has detailed various comparables it has not addressed the submission by the tenant that some properties are advertised at a lower level.

Determination and Valuation

14. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided by the Landlord, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £1,225.00 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 and curtains provided by the landlord.

Decision

15. The Tribunal therefore determined that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under an assured tenancy was £1,225.00 per month with effect from 8th August 2025.

Undue Hardship

16. 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.
17. The Tenant has not asked the Tribunal to fix a later starting date in this case.

Chairman: G S Freckelton FRICS

Date: 17th July 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.