

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00CL/MNR/2026/0149
Property	49 Bede Burn View, Jarrow NE32 5PQ
Tenant	James & Margaret Horsburgh
Tenant's Representative	
Landlord	John Docherty
Landlord's Address	11 Warwick Road, Coulsdon, Surrey CR5 2EF
Landlord's Representative	
Date of Application	18 April 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr N Swain MRICS – Chair Mrs A Usher
Date of Decision	29 July 2026
Rent Determined	£975.00 per calendar month
Date the new rent takes effect	01 August 2026

REASONS FOR THE DECISION

Background

1. On 05 February 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £940.00 per calendar month(pcm) in place of the existing rent of £500.00 pcm to take effect from 01 August 2026.
2. On 15 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. An update application form was submitted on 18 April 2026
3. The assured tenancy commenced on 25 January 2022 for a term of one year. 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 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

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.

The Property

9. The Property is a two bedroom, detached bungalow, offering the following accommodation:

Hall, living room, kitchen, two bedrooms, bathroom with full suite including shower, and conservatory.

Outside: Attached garage, driveway and garden.

The Property benefits from gas central heating and double glazing.

The Property is situated in Jarrow, within close proximity to local amenities and is approximately 0.5 miles south of the town centre.

Evidence

10. Both the Tenant and the Landlord returned the Tribunal's Reply forms.

The Tenant.

11. The Tenant made the following comments:

- a) They had replaced the washing machine and box freezer.
- b) They noted that there were several repairs outstanding, including:
 - Conservatory roof leaking.
 - Floor tiles broken in kitchen.
 - Electrical improvements not implemented.
 - Gas fire does not work and needs to be replaced.

12. In terms of rental evidence, the Tenant had provided brief details of various property types in the South Shields area as there were no bungalows available. They suggested that two bedroom flats let for between £550 and £650 pcm and three bedroom houses let for around £825 pcm.

The Landlord

13. The Landlord referred to several repairs having been carried out during the tenancy and that the only outstanding matter was the conservatory roof, which is due to be fully repaired in April 2026.

14. In terms of rental evidence, the Landlord indicated that various letting portals suggested that similar properties would let for between £1039 and £1144 pcm. This gave an average of £1091 pcm. Therefore, the suggested rent was a significant discount to market rent.

Determination and Valuation

15. Relying on its own expert, general knowledge of rental values in the area the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £980.00 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.
16. From this level of rent, the Tribunal has made adjustments in relation to the following:
- a) Improvements and fittings provided by the Tenant and for which they should not pay: replacement of white goods.

The full valuation is shown below:

Starting Rent	
	<u>£980.00 pcm</u>
<u>Less</u>	
a) Items given under a) above	0.5%
	<u>£5.00</u>

Market rent

£975.00 pcm

Undue hardship

17. 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.
18. Given that the start date is after the Tribunal's decision date, the Tribunal has no discretion to set a later starting date. Therefore, the starting date remains as 01 August 2026

Decision

19. Therefore, the Tribunal determines the market rent at £975.00 per calendar month with effect from 01 August 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.