



AG

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

Case Reference : **CAM/00MX/F77/2026/0012
P:PAPERREMOTE**

Property : **Lock 38 Ship Lane Marsworth Tring
HP23 4NA**

Applicant : **Leon Millar**

Respondent : **The Future is Brighter Limited**

Type of Application : **Determination of the registered rent
under Section 70 Rent Act 1977**

Tribunal : **Mrs E Flint FRICS**

**Date and venue of
Hearing** : **3 August 2026
remote on the papers**

DECISION

The registered rent with effect from 3 August 2026 is £7730.50 per year.

Background

1. On 24 February 2026 the landlord applied to the rent officer for registration of a fair rent of £750 per month for the above property.
2. The registered rent at the date of the application was £5246.50 per year which had been registered by the rent officer on 20 April 2020 with effect from the same date.
3. On 23 April 2026, the rent officer registered a fair rent of £7582 per year with effect from the same date.
4. The tenant objected to the registered rent.
5. The tribunal issued Directions on 5 June 2026. The landlord completed the tribunal's reply form and sent a copy to the tenant. However, no response was received by or on behalf of the tenant.

The Evidence

6. The property is a two storey detached house built c1900. The accommodation comprises on the ground floor two rooms, kitchen, shower room and separate wc and on the first floor two rooms. The house is centrally heated ; the tenant has updated the boiler and pipework. The tenancy also includes mooring rights, a pump house and store. There is no parking either on or off the plot.

The Law

7. When determining a fair rent I, in accordance with section 70 of the Rent Act 1977, must have regard to all the circumstances including the age, location and state of repair of the property. I also must disregard the effect of any relevant tenant's improvements and the effect of any disrepair or any other defect attributable to the tenant or any predecessor in title under the regulated tenancy, on the rental value of the property. I am unable to take into account the tenant's personal circumstances when assessing the fair rent.
8. In *Spath Holme Ltd v Chairman of the Greater Manchester etc Committee* (1995) 28 HLR 107 and *Curtis v London Rent Assessment Committee* (1999) QB 92 the Court of appeal emphasised:

That ordinarily a fair rent is the market rent for the property discounted for scarcity i.e. that element, if any, of the market rent, that is attributable to there being a significant shortage of similar properties in the wider locality available for letting on similar terms to that of a regulated tenancy, and

That for the purposes of determining the market rent, assured tenancy market rents are usually appropriate comparables; adjusted as necessary to reflect any relevant differences between the comparables and the subject property.

Valuation

9. In the first instance I determined what rent the landlord could reasonably be expected to obtain for the property in the open market if it were let today in the condition and on the terms considered usual for such an open market letting. I relied on my own general knowledge of rents within the an area bounded by Tring and Aston Clinton as there were no comparables within the vicinity and concluded that if the house was in the condition usually found on the open market it would let for £1,500 per month (£18,000 per year).
10. However, it was first necessary to adjust the hypothetical rent of £18000 per year to allow for the differences between the terms and condition considered usual for such a letting and the condition of the actual property at the valuation date, ignoring any tenant's improvements, (disregarding the effect of any disrepair or other defect attributable to the tenant or any predecessor in title). I determined that the hypothetical rent should be reduced by £5000 to reflect the standard of the accommodation, lack of double glazing, white goods, floor coverings, curtains and difference in terms and conditions.
11. This leaves an adjusted market rent for the subject property of £13,000 per year.
12. I am of the opinion that there is substantial scarcity within the commuter area of Hertfordshire and reduced the rent by 10% to reflect the scarcity element within the adjusted market rent leaving an sum of £11,700.

Decision

13. The rent will be capped under the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 because the adjusted market rent is above the capped rent. Accordingly, the sum of £7730.50 per year will be registered as the fair rent with effect from 3 August 2026 being the date of my decision.

Chairman: Evelyn Flint

Dated: 23 August2026

ANNEX - RIGHTS OF APPEAL

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the Tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the Regional Office which has been dealing with the case. The application should be made on Form RP PTA available at <https://www.gov.uk/government/publications/form-rp-pta>

The application for permission to appeal must arrive at the Regional Office within 28 days after the Tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the Tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the Tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking. Please note that if you are seeking permission to appeal against a decision made by the Tribunal under the Rent Act 1977, the Housing Act 1988 or the Local Government and Housing Act 1989, this can only be on a point of law.

If the First-tier Tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).

