

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/31UH/MNR/2025/0866
Property	The Vicarage Bardon Hill Bardon Road Coalville Leicestershire LE671TD
Tenant	Damian Gregory Hewitt and Lisa Rachel Hewitt
Tenant's Representative	
Landlord	Holcim UK Limited
Landlord's Address	c/o Global House Hindlip Lane Worcester WR3 8SB
Landlord's Representative	Fisher German LLP
Date of Application	11th December 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	4th August 2026
Rent Determined	£1,350.00 per calendar month
Date the new rent takes effect	4th August 2026

REASONS FOR THE DECISION

Background

1. On 29th October 2025 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,500.00 per month in place of the existing rent of £1,300.00 to take effect from 13th December 2025.
2. On 11th December 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 13th October 2023 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

8. The Tribunal carried out an inspection of the Property on 4th August 2026 in the presence of the tenant.
9. The Property is a detached house of stone and brick construction surmounted by a graded slate roof. The property offers the following accommodation:

Ground Floor: Porch, hall, lounge, dining room, study, kitchen and utility room.

First Floor: Landing, three double bedrooms, one single bedroom, bathroom fitted with a three-piece sanitary suite having a shower over the bath.

Second Floor: Double bedroom five with attic storage off.

Outside: The property is approached via a private driveway. There is an enclosed courtyard with two stores and W.C. off. The property has a large, mainly lawned garden incorporating a wooded area. Timber garage and large driveway.

The Property benefits from gas fired central heating and double glazing.

The Property is situated on the outskirts of Coalville adjacent to an established working quarry. There is intrusive traffic noise from Bardon Road and nearby industrial/commercial development.

Hearing

10. A remote video hearing which was attended by the tenant.
11. The landlord did not attend the hearing and made no written submissions to the Tribunal. The Tribunal is disappointed that the landlord did not consider it appropriate to afford the Tribunal the courtesy of either making submissions and/or attending the hearing having been invited to do so. Neither did the landlord consider it appropriate to notify the Tribunal that it did not wish to attend the hearing or take any part in the proceedings.
12. In their written submissions and at the hearing the tenants submit:
 - a) When they moved in there were problems with the electrical supply to some ceiling lights. The tenants paid for new light fittings to some rooms and the landlord paid for them to be fitted.
 - b) Carpets are provided by the landlord as is the oven/hob together with the extractor and the fridge and freezer.
 - c) The tenant provided the curtains and washing machine.
 - d) There are open fires in every room. All but one are unserviced and unusable.
 - e) The boundary fencing is dilapidated.
 - f) The gate to the enclosed yard is in need of replacement.
 - g) There is a lack of insulation to the loft conversion.
 - h) There is only one bathroom.
 - i) Heating and hot water are provided by a small combi boiler which takes several minutes to provide hot water to the taps.
 - j) At the commencement of the tenancy the tenants were told that the gate would be repaired and loft insulation attended to. The landlords have subsequently stated that works will not be carried out.

- k) Access is via a private road. This is also a public footpath and it is believed to be owned by the landlord.
- l) The tenant submitted that in his opinion there were any direct comparables to the subject property.

13. The Tribunal considered the submissions provided by the parties.

Determination and Valuation

14. Relying on its own expert, general knowledge of rental values in the area, and the submissions provided by the tenant, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £1,850.00 pcm. This is the rent we would expect the property to let for in the open market if it was in good general condition including having white goods, carpets and curtains provided by the landlord.

15. From this level of rent we have made adjustments in relation to:

- a) Dated kitchen/broken fridge and freezer drawers.
- b) Dated bathroom.
- c) Only one bathroom (properties of this size would expect to have two or three bath/shower rooms.
- d) Curtains provided by the tenant.
- e) Washing machine provided by the tenant.
- f) Rotten yard gate and boundary fence.
- g) Fireplaces not all working.
- h) Small combination boiler for a property of this size.
- i) Location. The property is immediately next to a working quarry and noise from traffic on Bardon Road is intrusive.

16. The full valuation is shown below:

Market Rent	£1,850.00
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Less:

Items given under (a) above	£60.00	
Items given under (b) above	£35.00	
Items given under (c) above	£100.00	
Items given under (d) above	£30.00	
Items given under (e) above	£10.00	
Items given under (f) above	£30.00	
Items given under (g) above	£40.00	
Items given under (h) above	£35.00	
<u>Items given under (i) above</u>	<u>£160.00</u>	
Total		<u>£500.00</u>
Market Rent		£1,350.00

Decision

17. 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 £1,350.00 per month with effect from 13th December 2025.

Undue Hardship

18. 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.
19. The Tenants have asked the Tribunal to fix a later starting date in this case. They say they are a low-income family in receipt of universal credit. Of the present rent, £1,050.00 is paid by universal credit. Any increase in rent will have to be paid for by themselves as universal credit will not pay any more. In addition, if the rent increase was backdated to the date on the landlord's Notice there would be considerable arrears which would place them at financial breaking point.
20. The Landlord did not respond to the Tenant's application for postponement due to hardship.
21. As a result of our decision the rent will increase by £50.00 per month. The date specified in the landlord's notice was 13th December 2025. On the basis of the evidence supplied by the Tenant, the Tribunal considers that for the increase to take effect from the date in the Landlord's Notice would cause undue hardship and accordingly sets the starting date for the new rent as 4th August 2026.

Chairman: G S Freckelton FRICS

Date: 4th 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.