

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/37UH/MNR/2025/0752
Property	3 Freiston Avenue Fenwood Newark NG24 5BB
Tenant	Lisa Jayne Brackenbury
Tenant's Representative	Not applicable
Landlord	Sigma PRS (Fernwood) OPCO Limited
Landlord's Address	1 St Ann Street Manchester M2 7LR
Landlord's Representative	Not Applicable
Date of Application	20 June 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Nicholas Wint FRICS – Chair Kay Bentley
Date of Decision	28 May 2026
Rent Determined	£1250.00 per calendar month
Date the new rent takes effect	12 July 2025

REASONS FOR THE DECISION

Background

1. On 28 May 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,310.00 per calendar month(pcm) in place of the existing rent of £1,235.00 pcm to take effect from 12 July 2025.
2. On 20 June 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 12 July 2024 until 11 July 2025. 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 considered this case on the basis of the papers provided by the parties and its own knowledge and specialist expertise.

The Property

9. The Tribunal did not carry out an inspection of the Property.
10. The Tribunal understands the Property is a three-bedroom detached house offering the following accommodation:

Kitchen, living room bathroom, ensuite and two toilets. Externally there is a garage and garden.

The Property benefits from central heating, double glazing, white goods, carpets and an alarm system.

Evidence

Tenant

11. The Tenant returned a completed Reply form to the Tribunal.
12. The Tenant referred to evidence of similar properties in the locality at between £1,145 and £1,400 pcm. The Tenant referred to the construction work being undertaken around the Property (providing photographic evidence) and the noise and disruption this was causing and were of the opinion that the proposed increase was therefore excessive and suggested a rent of around £1000 to £1050 pcm.
13. The Tenant advised that the Property was approximately 12 months old and was in good condition.
14. The Tenant advised she is a full-time carer, suffers from significant health conditions and receives Universal Credit of which the housing support only covers a proportion of the rent.

Landlord

15. The Landlord did not return a completed Reply Form to the Tribunal or submit any evidence.

Determination and Valuation

16. The Tribunal considered the evidence provided and the submission provided by the Tenant.

17. Relying on its own expert, general knowledge of rental values in the area, and the comparables 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 £1,300.00 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.
18. From this level of rent, the Tribunal made adjustments in relation to the disturbance arising from the nearby construction works of £50 pcm:

The full valuation is shown below:

Starting Rent	<u>£1,300.00</u> pcm
<u>Less</u>	<u>£50.00</u>
Market rent	£1,250.00 pcm

Undue hardship

19. 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.
20. The Tenant did not submit a claim for hardship or provide sufficient evidence to support a claim in this respect.
21. As a result of our decision the rent will increase by £15 a month. The date specified in the landlord's notice was 12 July 2025. On the basis of the evidence submitted the Tribunal therefore determines that the increase will take effect from that date.

Decision

22. The Tribunal determines the market rent at £1250.00 per calendar month with effect from 12 July 2025.

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.