

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/44UE/MNR/2025/0849
Property	18 St.Swithins Drive, Lower Quinton, Stratford upon Avon, CV37 8SB
Tenant	Amanda van der Schyff
Tenant's Representative	None
Landlord	Bethan Cook and Matthew Cook
Landlord's Address	c/o Cumbria House, 16-20 Hockliffe St., Leighton Buzzard, LU7 1GN
Landlord's Representative	Connells Residential Lettings
Date of Application	23 November 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	I.D. Humphries B.Sc.(Est.Man.) FRICS J. Rossiter MBA MRICS
Date of Decision	18 August 2026
Rent Determined	£700 per calendar month
Date the new rent takes effect	30 November 2025

REASONS FOR THE DECISION

Background

1. On 23 October 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £700.00 per calendar month (pcm) in place of the existing rent of £600.00 pcm to take effect from 30 November 2025.
2. On 23 November 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 31 July 2018 for a term of 12 months.

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. There are no unusual terms in the Tenancy Agreement, a copy of which has been provided.

Inspection/Hearing

8. Neither party requested an oral hearing. The Tribunal has considered this case on the basis of its inspection on 18 August 2026, the papers provided by the parties and its own knowledge and specialist expertise.

The Property

9. The Property is in Lower Quinton, a village about 6 miles south of Stratford and 10 miles east of Evesham. It comprises a ground floor flat in a three storey block which is one of three similar blocks at the end of a cul-de-sac known as St.Swithins Close. From its general appearance it was probably built by the Local Authority in the 1960s. The location is residential and appears well kept.

The village has a shop, primary school, public house and surgery.

The flat is accessed from a communal entrance hall and the accommodation comprises an inner hall, living room, kitchen, two bedrooms and shower room. There is an open plan communal front garden maintained by other parties. There is no garage provided with the flat but there is street parking nearby.

The flat has double glazed windows. Space heating is provided by electric night storage heaters and water heating by immersion heater fitted to a joint copper tank on an airing cupboard. The landlord provides an oven, washing machine, carpets and had provided curtains but they have been replaced by the tenant. The flat is otherwise unfurnished.

Evidence

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

The Tenant

11. The Tenant made the following comments:
- a) The property has been poorly maintained by the landlord.
 - b) The property suffers from damp due to a lack of insulation and blown seals on some of the double glazed windows.
 - c) There is no central heating, only night storage heaters.
 - d) The hot water tank is uninsulated.
 - e) The flat is in EPC Band E.
 - f) The property is cold due to the inadequate heating.
 - g) The electricity bills are higher than average for two bedroom flats.

The Landlord

12. Connells provided the following comparable evidence from Rightmove. All had been advertised at the asking rents are shown below and since let, but no evidence was provided to show the rents achieved:

- a) A modern two bedroom end-terraced house advertised at £925 pcm;
- b) A one bedroom flat in Orchard Court, Lower Quinton, advertised at £750 pcm;
- c) A one bedroom flat also in Orchard Court advertised at £725 pcm;
- d) A two bedroom flat in Bailey Avenue, Meon Vale, advertised at £700 pcm.

Determination and Valuation

12. The tenant's main point was that some of the double glazed windows suffered from interstitial condensation which made them less attractive and difficult to see through. Having seen the property, the Tribunal agrees but while this may have some effect on value, the effect is marginal and we do not consider it would make more than nominal difference to the rent achieved. We also agree the heating is not ideal, the night storage heaters are old and less efficient than modern units and likely to cost more to run than modern systems. On the other hand, this ground floor flat is in a good location where there is likely to be strong demand if it were advertised in the market which would be the main factor driving the rent.
13. Relying on its own expert general knowledge of rental values in the area, the Tribunal considers the market rental of the subject property modernised and in good order would be in the order of £750 pcm. This is the rent we would expect the property to let for in the open market if it were in the condition generally expected by prospective tenants in the market.
14. From this, the Tribunal makes adjustments for the following:
 - a) interstitial condensation in some of the double glazing and
 - b) the age of the night storage heaters.

The full valuation is shown below:

Starting Rent		<u>£750.00</u> pcm
<u>Less</u>		
a) Items given under a) above	£25.00	
b) Items given under b) above	£25.00	<u>£ 50.00</u> pcm

Market rent **£700.00 pcm**

Undue hardship

16. No claim has been made for the date of increase to be altered due to undue hardship. The new rent therefore takes effect from the date specified in the Landlord's Notice of Increase of 30 November 2025.

Decision

17. The Tribunal determines the market rent at £700.00 per calendar month with effect from 30 November 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.