

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/36UF/MRA/2026/0040
Property	St Omer, Main Street, Harome, York, North Yorkshire, YO62 5JF
Tenant	Gavin Crusher and Rhian Crusher
Tenant's Representative	
Landlord	Miss Belinda Johnson
Landlord's Address	Holderness House, Withernwick, HU11 4TR
Landlord's Representative	
Date of Application	2 July 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Tribunal Judge Brown Mr H Thomas, FRICS
Date of Decision	2 September 2026
Rent Determined	£1,000.00 per calendar month
Date of Valuation	2 September 2026
Date the new rent takes effect	1 October 2026

REASONS FOR THE DECISION

Background

1. On 24 May 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £1,200.00 per calendar month(pcm) in place of the existing rent of £950.00 pcm to take effect from 1 August 2026.
2. On 18 July 2026, under Section 14 (A3) of the Housing Act 1988, the Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of an open-market rent.
3. The tenancy commenced on 24 May 2021. 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. N/A

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. N/A

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 an end-terraced house comprising 3 bedrooms, living room, family bathroom, w/c, kitchen, utility room and pantry. There is a garden, car port and two stone sheds.

The Property benefits from gas central heating. Two windows are double glazed. Kitchen and bathroom has lino floor covering, the others rooms are carpeted.

It was let with carpets, window dressings and white goods.

The Property is situated in Harome, York.

Evidence

10. The parties completed the relevant MR1 (tenant), MR2 (landlord) and MR3 (tenant's reply).

The Tenant

11. The Tenant made the following comments:
- a) The Tenant did not provide comparable rental evidence but suggested the rent should be £900 pcm.
 - b) They set out *"We have been here 10 years and every time we see our landlady she says she is going to put new windows and spend some money on the house. She put two new windows in the front due to the windowsills falling out, the glass fell out of one window while wiping the condensation off so we have had to replace this ourselves and reputty someother windows due to glass movement. Both back and front doors are old and draughty and rain comes underneath with heavy rain. The cupboards in the kitchen are very old all smell damp but one in the corner we can't use due to mould which we have to clean regularly. One of the kitchen windows had a problem with the plaster cracking due to dampness, her builder took it down to the raw plaster which has been left bare for the last 18months with a gap to the outside between the plaster and frame which the wind blows through. With this and the other draughty windows it's very expensive to heat the house."*
 - c) They represented that the windows were in poor repair; there is damp in the kitchen cupboard.
 - d) The Tenant indicated that the property is located in a small village, not served by a bus route and the nearest shop is 1/2 miles away.

The Landlord

12. The Landlord stated that the Tenant had installed fencing and a gate at the property.
13. She stated that *“The windows and doors were repaired and painted by a professional, not the tenants. The front windows were replaced and the other windows are scheduled to be replaced as well.”*
14. The Landlord did not provide comparable rental evidence. Her documents suggested she had spoken to “Bulmers”, who had indicated the market rent would be *“around 1300/1350”*. She stated that the tenant had benefitted from a reduced rent for a number of years.

Determination and Valuation

15. Under section 14(1) of the Housing Act 1988 (as amended), the Tribunal is required to determine the rent at which the Property might reasonably be expected to let in the open market by a willing Landlord at the beginning of the new period specified in the Landlord’s notice. Relevant Tenant improvements or failure of the Tenant to comply with the terms of the tenancy are to be disregarded. Historic issues relating to the tenancy or the personal circumstances of the Landlord are not taken into account. The personal circumstances of the Tenant are only considered if an application for hardship has been made.
16. The Tribunal found that the Property is of stone and brick construction, with the majority of windows single-glazed, situated in a rural location. Using its own expertise and general knowledge of rental values in the area, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £1,200.00 pcm. This is the rent we would expect the property to let for in the open market at the valuation date.
17. From this level of rent, the Tribunal has made adjustments in relation to the following:
 - a) Lack of double glazing
 - b) Poor kitchen units

The full valuation is shown below:

Starting Rent	<u>£1,200.00</u> pcm
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<u>Less</u>		
a)	Items given under a) above	£120.00
b)	Items given under b) above	£60.00
		<u>£180.00</u>
Net sum		£1,020.00
Rounded down for valuation to		£1,000.00
Therefore, Open-Market Rent		£1,000.00pcm

Decision

The Tribunal determines the new rent amount at £100.00 per calendar month with effect from 1 October 2026 which is the beginning of the first new period of the tenancy which begins on or after the date of the determination.

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 after 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.