

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/36UE/MNR/2026/0358
Property	4 Devon Court, Anzio Road, Catterick Garrison, DL9 3EX
Tenant	Tracey Barron
Tenant's Representative	
Landlord	XIV Developments Ltd
Landlord's Address	Staffordshire House, Beechdale Road, Nottingham NG8 3FH
Landlord's Representative	Love Property UK Limited
Date of Application	8 August 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Tribunal Judge Angela Davies Tribunal Member Huw Thomas FRICS
Date of Decision	7 September 2026
Rent Determined	£575 per calendar month
Date the new rent takes effect	1 July 2026

REASONS FOR THE DECISION

Background

1. On 29 April 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £600 per calendar month (pcm) in place of the existing rent of £550 pcm to take effect from 1 July 2026. The original error in spelling the Tenant's name with only one "r", which was corrected by the service of a later notice, is considered by the Tribunal to be immaterial. The notice was therefore served prior to implementation of the Renters Rights Act 2025.
2. On 20 July 2026, under Section 13(4)(a) of the Housing Act 1988 and after service of the amended notice, 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 11 March 2016 for a term of 6 months. The rental period is a calendar month.

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, curtains and white goods specified below) and the costs relating to the same.

5. None

Liability for Council Tax

6. The Tenants are 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 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 Tribunal was not asked to inspect the property and did not consider it necessary to do so in order to determine the market rent.
10. The Property is a two bedroomed first floor flat in a purpose built block probably dating from the 1960s. It has double glazing and central heating. Floor coverings, a cooker and a washing machine were provided by the Landlord.
11. The rent includes the cost to the Landlord of maintaining the grounds around the building, and cleaning the interior common parts.

Evidence

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

The Tenant.

13. The Tenant made the following comment:
The landlord's comparable rents at £625 / £650 are for modernised properties and one has an ensuite and an EPC C rating, whilst the EPC rating of my property is D and it has not been modernised.

Comparable rents for two bedroomed flats are (asking rents)

Kent Court, Catterick Garrison epc E - £600

Chepstow Close, Colburn, Catterick Garrison - £625

Horseshoe Close, Colburn - £650

Also a 1 bedroomed flat in Frenchgate, Richmond - £650

There are repairs which have not been addressed in my flat for some considerable time.

Workmen have caused damage and left the property in poor condition after repairs and installations. This has been reported but no action taken.

The following have been reported on flat inspections but not addressed –

Kitchen Tiles above sink loose, bulging and grout cracked Reported 31 /03/23-01/01/25 - 02/03/26

Extractor fan replace in 2025 where damage was caused to sides of cupboards and bare plaster walls exposed. Reported 02/03/26

Area around plug socket damaged by gas engineer in 2025. Reported 02/03/26
Cupboard below sink has water damage and smells due to a leak whilst I was absent from the property in Jul 25. Reported 02/03/26

Kitchen lino lifting in places due to leak. Reported 02/03/26

Area under the sink is black in places. Reported 02/03/26

Bathroom Bath panel damaged Reported 31/03/23 - 09/01/25 - 02/03/26

Sealant coming away from around the bath. Reported 31/03/23 - 09/01/25 - 02/03/26 Bath was re sealed on 09/06/26 however it has already started coming away.

Radiator badly rusted Reported 31/03/23 - 09/01/25 - 02/03/26

In 2024 a new boiler was fitted and gas pipes were put through the walls and bath panel which caused more damage to bath panel and holes left in walls. Reported this 09/01/25. It was agreed that if the pipes can be re routed into the boxing in below, the cost of the new boxing in would be at my expense, engineer confirmed 2025 they can be moved but the toilet boxing in needs to come out, which I cannot afford. Still waiting on the outcome of a discussion the engineer was going to have with the agent.

The Tenant advised the Tribunal that she has supplied the following by way of improvements:

Carpets in bedrooms, living room, hallway and 2 cupboards

Filled in holes and covered bare metal strips by front door

Replaced bathroom cabinet and toilet seat

Decorated throughout including thresholds

Replaced all curtain poles

The Landlord

This flat is larger than the average 2 bedroom flat, for example see as evidence, Ayr Avenue which is marketed for let at £750 pcm. We agree that the kitchen and bathroom need modernisation. The rent has increased by only £150 over 10 years. The rent includes maintenance of common parts internally and externally.

Comparable rents for 2 bedroomed flats are – (asking rents)

Friars Wynd, Richmond £850

Market Place, Richmond £795 (on market 52 days)

Frenchgate, Richmond £795 (on market 57 days)

Maison Dieu 2 bed £795 (on market 62 days)

Ayr Ave, Colburn £750 - actual rent?

Newbiggin, Richmond £750 (on market 49 days)

Pottergate, Richmond £725

Queen's Road Richmond £700

Chepstow Close Colburn £700

Kent Court, Catterick Garrison £600

Determination and Valuation

14. With the exception of the Richmond flats, the Tribunal considers the comparable (asking) rents provided by the Landlord and Tenant are relevant to this matter. Richmond is a different rental market to Catterick Garrison.
15. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided by the Landlord, the Tribunal considers that the market rental of the subject Property modernised and in tenantable repair would be in the region of £600 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 including having white goods and curtains provided by the landlord.
16. The Tribunal notes the disrepairs and tenant's improvements but does not consider these to have an appreciable effect on the rent. The disrepairs would be addressed to a large extent by modernisation. From the level of rent at paragraph 15 above, the Tribunal has made an adjustment for necessary modernisation.

Market rent	£600 pcm
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Less allowance for

Necessary modernisation	£25
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Rent payable	£575 pcm
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Undue hardship

12. 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.

13. The Tenant has asked the Tribunal to fix a later starting date because she is in receipt of benefits due to poor health. However no evidence of income and outgoings has been provided and so the application is refused.

Decision

14. Therefore, the Tribunal determines the market rent at £575.00 per calendar month with effect from 1 July 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.