

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/45UH/MRA/2026/0067
Property	1 Broadwater Apartments, Southdown View Road, Worthing, West Sussex, BN14 8NN
Tenant	Nicola McDonnell
Tenant's Representative	
Landlord	Broadwater Worthing Limited
Landlord's Address	60 Welbeck Street, London, W1G 9XB
Landlord's Representative	HCGB Services Limited
Date of Application	10 August 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Tribunal Judge Bowden Tribunal Member Ms Barton MRICS
Date of Decision	03 September 2026
Rent Determined	£960 per calendar month
Date of Valuation	03 September 2026
Date the new rent takes effect	14 September 2026

REASONS FOR THE DECISION

Background

- On 13 July 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,015 in place

of the existing rent of £960 per calendar month (pcm) to take effect from 14 September 2026.

2. On 10 August 2026, 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 Tenant's referral was received by the Tribunal on the same date it was referred.
4. The assured shorthold tenancy commenced on 14 September 2025 for a term of 12 months. The rental period is monthly. The tenancy has continued as a rolling statutory periodic tenancy from the end of the term.

Allocation of Repairs between Landlord and Tenant.

5. As per section 11 of the Landlord and Tenant Act 1985.

Service Charges or furniture provided by Landlord (other than carpets and curtains and white goods specified below) and the costs relating to the same.

6. No services are provided under the tenancy.
7. The tenancy does not contain separate charges for maintenance, repairs or management. Any such costs are included within the rent.

Liability for Council Tax

8. 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

9. The tenancy agreement contained other terms relevant to market rent determination; the tenant is permitted to keep a dog at the Property.

Hearing

10. Neither party requested an oral hearing.
11. The Tribunal was satisfied that it could consider this case on the basis of the papers provided by the parties.

Inspection

12. There was no inspection. The Tenant indicated on Form MR1 that they did not think an inspection was required. The Landlord did not provide substantiated reasons for an inspection in their Form MR2.

The Property

13. The Property is in East Worthing, approximately 0.6 miles from East Worthing train station, and is in a recently converted office building at the edge of a light industrial area. The Property is next to Screwfix and Booker Wholesale.
14. The accommodation is as follows:

Property:	Studio flat. Consisting of one main room with kitchen area and a separate bathroom
Outside:	No outside space
The Property benefits from:	Small area of Lino in the kitchen area with carpeting throughout the rest of the main room. Carpet in the front door area. Tiled floor in the bathroom
Furniture:	Not included
Furnishings and flooring:	Small area of Lino in the kitchen area with carpeting throughout the rest of the main room. Carpet in the front door area. Tiled floor in the bathroom
Appliances:	Appliances in the kitchen which is built-in dishwasher, washing machine, oven and separate hob, fridge/freezer
Heating and thermal efficiency	Two electric Radiators. One in the main room and one in the front door area. Heated towel rail in bathroom. Double glazing which is two windows in the main room which open as tilt and turn.

Improvements

15. The Tenant has not listed any capital improvements but has replaced a jubilee clip.

Evidence

16. The Tribunal carefully considered the MR1 (tenant), MR2 (landlord) and MR3 (tenant's reply) and attachments provided by the parties, along with relevant correspondence provided to it in the hearing bundle.

The Tenant

17. The tenant provided:

- a. Images of the Property and a hand-drawn floor plan.
18. The Tenant made the following comments:
- a. They thought the open market rent should be £900 - £950.
 - b. There is an ongoing issue with the bin area and a rat infestation.
 - c. The door entry system (the voice that reads out the flat numbers and tells when the door is open etc is extremely loud - this can be heard through the double glazing and over the sound of a TV/radio).
 - d. The double glazing has a dropped window (tilt/turn), it has been rehung as a temporary fix. There is a gap around one of the windows, letting drafts and wind into the studio and not blocking noise properly (the door entry system notwithstanding). Neither window closes properly at the catch.
 - e. They had viewed a one-bedroom flat for £900 pcm in the area. She says nobody she knows has a studio, but one colleague I work with is waiting to sign for a one-bedroom flat for £900 pcm. Another has a two-bedroom flat in central Worthing for £1150 pcm.
 - f. Those offering furnished by way of electrical equipment for the kitchen are at the higher end, these also included a parking space. However, for street parking in Worthing, it is for limited time in both the morning and afternoon, and the council only charges £60 a year.
19. In terms of rental evidence, the Tenant provided the information above. There was one Rightmove image, but no details on the location/type of property.

The Landlord

20. The Landlord made the following comments:

The property is a well-located studio apartment of approximately 334 sq ft situated in a prime location. The landlord's assessment is supported by direct experience of letting comparable apartments, which currently achieve approximately £1,050 pcm, together with the property's particular characteristics and the prevailing rental market.

21. The Landlord's comparable properties are summarised below:

Property	Features	Evidence	Rent pcm	Treatment by the Tribunal
Subject property	Studio 1 bath Parking		£960 current £1,015 proposed	
a. Worthing (no further location details)	1 dbl bed 1 bath Living room Ground floor Patio Close to East Worthing train station	Rightmove	£995	This is a 1-bed flat with outside space so not comparable to a studio
b. Worthing (no further location details)	Studio Separate kitchen Part furnished Private garden Short walk to the bus stop, West Worthing station and the beach flat.	Rightmove	£995	Not directly comparable to the subject property due to location near the town centre and private garden
c. Worthing (no further location details)	1 bed open plan lounge/kitchen Garden flat Short walk to the town centre Very closed to Worthing Train Station	Rightmove	£1,025	This is a 1-bed flat with outside space so not comparable to a studio.

Determination and Valuation

22. 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.
23. The Tribunal carefully considered the information and comparable properties put forward by the parties and relied on its own expertise

and general knowledge of rental values in the area, and the relevant comparable properties provided by the parties.

24. The Tribunal is aware from its own knowledge that the Landlord's agent, HCGB, is advertising a 1-bed flat in the same building at £1,080 pcm.
25. The Tribunal considers that the market rent of the property in good repair and condition, and having appliances provided by the landlord, would be £960 pcm.
26. From this level of rent, the Tribunal has not made adjustments.

Undue hardship

27. The new rent takes effect from the date which is the beginning of the first new period of the tenancy which begins on or after the date of the determination 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 two months after it makes its determination.
28. As the rent has not increased, i.e. there is not a 'new rent', the issue of undue hardship does not need to be determined.

Decision

29. The Tribunal determines the rent amount at £960 per calendar month, which is below the proposed rent, with effect from 14 September 2026.

Name: Tribunal Judge Bowden

Date: 03 September 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.