

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/21UD/MRA/2026/0019
Property	Flat 2, 21 Marina St Leonards-on-Sea TN39 0DP
Tenant	Gemma Wood
Tenant's Representative	None
Landlord	Hastings Edgewater Ltd
Landlord's Address	c/o Castleham Road London N16 6DW
Landlord's Representative	Tri-Group Management Ltd
Date of Application	7 th July 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	I R Perry FRICS S Johnson
Date of Decision	10 th September 2026
Rent Determined	£860 per calendar month
Date of Valuation	1 st August 2026
Date the new rent takes effect	10 th September 2026

REASONS FOR THE DECISION

Background

1. On 14th May 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £1,300 per calendar month(pcm) in place of the existing rent of £860 pcm to take effect from 1st August 2026.
2. On 7th 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 16th February 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. 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

Hearing

8. Neither party requested an oral hearing.

The Property

9. The Property is a second floor flat comprising a living room, kitchen, 3 bedrooms, bathroom and wc.
10. The Property benefits from gas central-heating and double-glazed windows. Carpets are provided by the Landlord.
11. The Property is situated a residential area overlooking the sea.

Evidence

12. The Tenant completed the relevant MR1 with associated photographs and correspondence relating to the condition of the property. The Landlord's Agent completed a MR2 and the Tenant an MR3 in response. The Tribunal was also supplied with a video.

The Tenant

13. The Tenant made the following comments:
 - a) The Tenant provided photographs showing the condition of the Property and considerable correspondence between Landlord and Tenant regarding the condition of the Property and outstanding repairs.
 - b) The Tenant held a long-term view that there are considerable structural issues affecting the property with water/damp penetration resulting in damaged plasterwork.
 - c) The Tenant made a Case Management Application on 17th August 2026 with supporting photographs prior to the extensive repairs scheduled for 19th August 2026. These works would necessitate rooms being vacated on a one-by-one basis to allow stripping, plastering and redecoration.
 - d) The repairs were then delayed until Monday 24th August 2026.

Determination and Valuation

14. 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.

15. The Tribunal noted that extensive repair works by the Landlord were due to commence on 15th September 2026. Given the condition of the Property the Tribunal determined that there should be no increase in the rent until such time as the repairs have been completed.

Undue hardship

16. 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.
17. The Tenant has stated that the proposed increase to £1,300 pcm would cause undue hardship. Given that the Tribunal has not increased the rent for the Property the Tribunal considers that no undue hardship will be caused by this decision. And the new rent should commence on 16th September 2026

Decision

18. The Tribunal determines the new rent amount at £860 pcm with effect from 16th September 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.