

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/36UH/MDR/2026/0001
Property	3 Bridle Mews, Thorpe Willoughby, Selby YO8 9TT
Tenant	Lisa Scorgie
Tenant's Representative	
Landlord	Benjamin Clark
Landlord's Address	1 Church View, Dacre Banks, Harrogate, HG3 4DY
Landlord's Representative	
Date of Application	30 April 2026
Type of Application	Determination of a Market Rent section 22 of the Housing Act 1988 ("the Act")
Tribunal Members	Mr N Swain MRICS – Chair Ms J Chisholm
Date of Decision	13 August 2026
Rent Determined	£1350.00 per calendar month

REASONS FOR THE DECISION

Background

1. On 05 December 2025, an assured tenancy between the Landlord and Tenant commenced at an agreed rent of £1350.00 per calendar month (pcm) for a term of six months.
2. On 30 April 2026, under Section 22 (1) of the Housing Act 1988, the Tenant made an application to the Tribunal for determination of a market rent, as they believed the initial market rent to be excessive.

Allocation of Repairs between Landlord and Tenant.

3. 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.

4. None

Liability for Council Tax

5. 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.

6. None.

Inspection/Hearing

7. 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

8. The Property is a terraced house forming part of a modern housing development, offering the following accommodation:

Living room, kitchen, wc, three bedrooms, and 2 bathrooms.

Outside:

The Property benefits from gas central heating, double glazing and floor coverings throughout.

The Property is situated in Thorpe Willoughby within close proximity of amenities. Selby Town Centre is approximately 3 miles to the east.

Evidence

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

The Tenant.

10. The Tenant made the following comments:

- a) They had replaced the washing machine when it broke down.
- b) The Landlord had asked her to leave the property as he intended to move back in. However, they have also put the Property on the market at a lower rent than the Tenant is currently paying.
- c) That the Landlord has harassed the Tenant by lingering outside the Property, stuck tape over doors and windows and searched a garden storage unit.
- d) They had been under pressure to find a property at the time as they were homeless and living in an AirBNB.

11. In terms of rental evidence, the Tenant suggested that the Property was only worth £950.00 pcm and provided the advert from a property portal, showing the Property being advertised at £1150.00 pcm.

The Landlord

12. The Landlord made the following comments:

- a) The Property had originally been advertised at a higher rent and the Tenant had negotiated the rent down to £1350.00 pcm.
- b) At the time the tenancy began, there were no comparable rental properties within Thorpe Willoughby. The rent reflects the size, condition and location of the Property and the Tenant willingly entered into the tenancy at the agreed rent.

- c) They provided no comparable evidence.

Determination and Valuation

- 13. This is a section 22 application made under the legislation in place prior to 01 May 2026. It is a valid application as it does not meet any of the criteria set out in paragraph (2) of section 22 of the Act.
- 14. In making a determination, the Tribunal must consider two factors:
 - a) That there is a sufficient number of similar properties in the locality let on assured tenancies.
 - b) That the rent for this tenancy is significantly higher than the rent which the Landlord might reasonably expect to achieve, taking into account the level of rents for similar properties in the locality.
- 15. Relying on its own expert knowledge of the locality, the Tribunal finds that there is a sufficient number of similar properties in the locality. Therefore, it can move on to consider the second factor.
- 16. Again, relying on its own expert, general knowledge of rental values in the locality, the Tribunal considers that the rental value of three bedroom properties in the area vary greatly, ranging from £900.00 to £1400.00 pcm. Based on the description of the Property provided the Tribunal considers that the rental value is £1250.00 pcm. It then considered the requirement for the passing rent to be “significantly higher” than the market rent. The Tribunal finds that the difference is not significant.
- 17. As the second criteria is not met, the rental figure agreed between the Landlord and Tenant stands.

Market rent

£1350.00 pcm

Undue hardship

- 12. The application did include a request for undue hardship to be considered. However, undue hardship does not apply to applications made under section 22 of the Act. Consequently, it has not been considered.

Decision

13. Therefore, the Tribunal determines the market rent of £1350.00 pcm set out in the original tenancy remains the rent payable.

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.