

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/00HE/MNR/2026/0139
Property	4 Pine Walk, Carn Brea Lane, Redruth, Cornwall TR15 3FT
Tenants	Samantha Kelly Jacob Priddey
Tenant's Representative	-
Landlord	Nigel Michael Vinson Susan Jane Vinson
Landlord's Address	11 Treyew Road, Truro, Cornwall, TR1 3AN
Landlord's Representative	Atlantek Lettings Limited.
Date of Application	4 May 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	W H Gater FRICS– Chair Ms S Johnson- Member
Date of Decision	15 September 2026
Rent Determined	£1100 per calendar month

Date the new rent takes effect	6 May 2026
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REASONS FOR THE DECISION

Background

1. On 27 February 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £1200 per calendar month (pcm) in place of the existing rent of £1050 pcm to take effect from 6 May 2026.
2. On 4 May 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 6 April 2018. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant.

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

Liability for Council Tax

5. The Tenants are responsible for the payment of Council Tax in respect of the Property. The rent determined is exclusive of Council Tax.

Hearing

6. A hearing was held on 15 September 2026 at 10 a.m. by video platform. The Tribunal has considered this case on the basis of an oral hearing, the papers provided by the parties, its own knowledge and specialist expertise.
7. The online hearing was attended by Ms Kelly, Tenant; Mr Vinson, Landlord. Ms Roskilly-Johns of Atlantek Lettings Ltd attended as Landlords representative.

The Property

8. The Property is a modern 3 bedroomed end of terrace house offering the following accommodation:

First Floor:

3 Bedrooms

1 Bathroom

1 Ensuite

Ground Floor:

Kitchen

Living Room

Downstairs WC

Garden

The Property benefits from gas- fired central heating, double -glazed doors and windows.

The Property is situated in the Pool area between Camborne and Redruth just off the main A30 in West Cornwall.

Evidence

9. The parties completed the relevant MR1 (tenant), MR2 (landlord) and MR3 (tenant's reply), with supporting information. Further oral evidence was given at the hearing.

The Tenant

10. The Tenant made the following comments:

- a) The property is the subject of a Suspended Prohibition Order from 16 June 2026 under the Housing Act 2004 relating to a Category 1 hazard of overcrowding. The council has indicated that the current occupancy exceeds the maximum suitable of 2 adults, one child between 1 and 10 and one child over ten.

The Tenant further alleges that the property: -

- b) Lacked a Building Regulations Completion Certificate when first occupied.
- c) Has non-compliant fire doors with excessive gaps.
- d) Has inadequate smoke alarm provision.
- e) Suffers from water ingress.
- f) Has structural gaps causing drafts and
- g) alleged radon risks.

- h) Previously contained an "Immediately Dangerous" gas installation.
 - i) Remains affected by outstanding building control and fire safety issues.
- 11. The tenant's application contains no direct comparable rental evidence from local listings. The tenant contends that property condition and safety defects justify a market rent of £900 pcm.
- 12. At the hearing the Tenant confirmed that certain works had been completed but that the issue of non-compliant fire doors remained. She also stated that the property, whilst described as end of terrace has poor / no side access due to a neighbour's overgrown tree. This is a small house and the comparable properties referred to by the Landlord are larger. As a result, the Prohibition Order for overcrowding has been made.

The Landlord

- 13. The Landlord made the following comments:
 - a) The Landlord confirmed that certain works had been completed as noted and that work on adding intumescent strips to internal doors was being undertaken next week. The Local Authority have not taken any enforcement action, and the Landlord is dealing with matters in cooperation with the authority.
 - b) The tenant has increased the number of people living at the property since taking up occupation and now has 4 children resident. The property was not designed for this level of occupation.
 - c) Researching market rents, he concluded that £1200 pcm was at or below market rent. Three houses in the terrace were let as noted below.
- 14. The Landlord relies upon Comparable Local Rents: -
- 15. Rents passing: -
 - 1 Pine Walk: £1,300 pcm August 2025
 - 2 Pine Walk: £1,200 pcm, May 2026
 - 3 Pine Walk: £1,200 pcm May 2026
- 16. Nearby three-bedroom properties advertised at:
- 17. £1,150 pcm
- 18. £1,200 pcm
- 19. £1,200 pcm
- 20. £1,300 pcm

21. £1,500 pcm

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 has taken account of the Suspended Prohibition Order relating to overcrowding. The assessment of market rent assumes that the Property is vacant and available to let on the open market. The overcrowding concerns arise from the number of occupants currently residing at the Property rather than from any inherent characteristic of the accommodation itself. The Property would remain marketable for letting to a smaller household occupying it in compliance with the relevant requirements. Accordingly, the Tribunal does not consider that the Suspended Prohibition Order justifies any reduction in the market rent.
24. The Tribunal finds that some of the works complained of by the Tenant have been rectified, but that important fire precaution works remain outstanding. Although these works are being attended to and have not been the subject of enforcement action, the Tribunal considers that their outstanding nature represents a shortcoming which would affect the rent that a willing tenant would pay in the open market. The Tribunal has therefore made an allowance to reflect their effect on rental value. The Tenant raised additional concerns about the condition of the Property, but the Tribunal was not satisfied that the evidence demonstrated defects that would materially affect rental value. No further adjustment is therefore warranted.
25. The Tribunal relies on its own expertise and general knowledge of rental values in the area, and the comparables provided by the Landlord. The recent lettings within Pine Walk for very similar properties presents strong evidence of market value as they are part of the same terrace of houses.
26. The Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £ 1200 pcm. This is the rent we would expect the property to let for in the open market at the valuation date and if it was in the same general condition as the comparable properties.

27. From this level of rent, the Tribunal has made adjustments in relation to the following:

a) Incomplete fire precaution work

The full valuation is shown below:

Starting Rent	<u>£ 1200</u> pcm
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Less

a) Items given under a) above	£ 100pcm
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Open-Market Rent	£ 1100 pcm
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Decision

28. The Tribunal determines the new rent amount at **£ 1100** per calendar month with effect from 6 May 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 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.