

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/18UK/MRA/2026/0033
Property	7 Tylers Meadow Torrington Devon EX38 7BR
Tenant	Stephen Lloyd
Tenant's Representative	None
Landlord	W A Branston
Landlord's Address	2 Well Street Torrington Devon EX38 8EP
Landlord's Representative	Bond Oxborough Phillips
Date of Application	6th 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	10th September 2026
Rent Determined	£875 per calendar month
Date of Valuation	1st August 2026
Date the new rent takes effect	10th October 2026

REASONS FOR THE DECISION

Background

1. On 29th May 2026, the Landlord's Agent served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £900 per calendar month(pcm) in place of the existing rent of £850 pcm to take effect from 1st August 2026.
2. On 6th 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 10th December 2020. The rental period is monthly.

Validity Of Notice – Section 13B of the Housing Act 1988

4. In his application form, the Tenant has indicated that he considers the Landlord's notice is invalid but gives no reason except that he considers the proposed rent is too high.
5. The Tribunal has considered the Notice and determines that it is valid. This does not invalidate the Tenant's application.

Allocation of Repairs between Landlord and Tenant.

6. 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.

7. None.

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. None

Hearing

10. Neither party requested an oral hearing.

The Property

11. The Property is a modern end-terraced house in a residential area, with accommodation including a living room, kitchen, WC, utility cupboard, two bedrooms, and a bathroom with a separate shower. Outside there is a rear garden and two parking spaces to the front.
12. The property benefits from gas-fired central heating and double-glazed windows. The landlord also provides floor coverings.

Evidence

13. The parties completed the relevant MR1 with supporting photographs (tenant), MR2 (landlord). Both parties refer to comparable evidence.

The Tenant

14. The Tenant made the following comments:
- a) Numbers 6 & 8 Tylers Meadow are both let at rents of £800 pcm and other 2-bedroom properties within the same postcode are let for £725 pcm and £850/£900 pcm with garage respectively.
 - b) The Tenant prunes and maintains trees in the rear garden.
 - c) The front door needs redecoration.
 - d) Other properties in the area, advertised at less than £900 pcm offer more storage in a garage or attic.
 - e) Using the second bedroom for storage renders it unusable as a bedroom.

The Landlord

15. The Landlord made the following comments:
- a) Number 6 Tylers Meadow is a mid-terrace and Number 8 has a smaller first floor.

- b) Three comparables are quoted, having been recently let for £875, £900 and £995 pcm.
- c) The Tenancy Agreement requires the Tenant to maintain the garden.
- d) The Tenant chooses to use the second bedroom for storage.
- e) Three further comparables are quoted with rents ranging from £925 to £975 pcm.

Valuation

- 16. 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.
- 17. Relying on its own expertise and general knowledge of rental values in the area, together with the comparable evidence provided by the parties, the Tribunal found the Landlord's evidence of recent lettings to be more persuasive than the Tenant's reliance upon neighbouring properties, particularly as the evidence relating to those properties was limited. The Tribunal considered the Tenant's evidence of lettings at £725 pcm and £800 pcm but concluded that those properties were not directly comparable in terms of size, position and accommodation. The Tribunal also considered the Landlord's evidence of lettings between £875 pcm and £995 pcm but concluded that some of those properties appeared superior to the subject property. Having considered all of the comparable evidence and applying its own knowledge and expertise of the local market, the Tribunal determines that the open market rent for the Property at the valuation date was £875 pcm.

Undue hardship

- 18. 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.

19. The Tribunal notes that its determination results in an increase of £25 per calendar month above the existing rent of £850 per calendar month. In the absence of any supporting evidence of the Tenant's financial circumstances and having regard to the relatively modest level of the increase, the Tribunal is not satisfied that requiring the new rent to take effect from the statutory date would cause undue hardship.

Determination

20. Accordingly, the Tribunal determines the new rent amount at £875 pcm shall take effect from 10th October 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.