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|  | <b>FIRST - TIER TRIBUNAL<br/>PROPERTY CHAMBER<br/>(RESIDENTIAL PROPERTY)</b>            |
| <b>Case Reference</b>                                                             | <b>BIR/00CU/MNR/2025/0728</b>                                                           |
| <b>Property</b>                                                                   | <b>3 Fusion Way<br/>Darlaston<br/>Wednesbury<br/>WS10 8WB</b>                           |
| <b>Tenant</b>                                                                     | <b>Emmanuel Nare and Ruvimbo Nare</b>                                                   |
| <b>Tenant's Representative</b>                                                    | <b>None</b>                                                                             |
| <b>Landlord</b>                                                                   | <b>PRS REIT (SWII) Investments LLP</b>                                                  |
| <b>Landlord's Address</b>                                                         | <b>3-4 Regan Way<br/>Chetwynd Business Park<br/>Chilwell<br/>Nottingham<br/>NG9 6RZ</b> |
| <b>Landlord's Representative</b>                                                  | <b>Simple Life</b>                                                                      |
| <b>Date of Application</b>                                                        | <b>23 April 2025</b>                                                                    |
| <b>Type of Application</b>                                                        | <b>Determination of a Market Rent<br/>sections 13 &amp; 14 of the Housing Act 1988</b>  |
| <b>Tribunal Members</b>                                                           | <b>Mr G S Freckelton FRICS (Chairman)</b>                                               |
| <b>Date of Decision</b>                                                           | <b>23 September 2026</b>                                                                |
| <b>Rent Determined</b>                                                            | <b>£1,135.00 per calendar month</b>                                                     |
| <b>Date the new rent takes effect</b>                                             | <b>24 June 2025.</b>                                                                    |

## **REASONS FOR THE DECISION**

### **Background**

1. On 16 April 2025 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,135.00 per month in place of the existing rent of £1,035.00 to take effect from 24 June 2025.
2. On 23 April 2025, 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 assured tenancy commenced on 24 August 2019 for a term of twelve months. 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 curtains 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.

### **Inspection/Hearing**

8. Neither party requested an inspection or 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**

9. The Property is a semi-detached end town house offering the following accommodation:

Ground Floor: Hall, living room, kitchen.

First Floor: Landing, three bedrooms, bathroom.

Outside: Gardens to front and rear. Car parking space

The Property benefits from gas fired heating and double glazing.

### **Evidence**

10. The Tribunal has considered the written submissions provided by the tenants and the landlord.
11. The tenants submit:
  - a) They installed security cameras in 2021 at a cost of £1,020.00.
12. The landlord submits:
  - a) That rents for similar properties within a one-mile radius are between £1,200.00-£1,400.00 per month.
  - b) That the proposed rent is in line with the current market rent.
13. The landlord submitted details of the rents achieved for comparable three-bedroom end terraced town houses:
  - a) Fusion Way, Darlaston – six end-terraced town houses of the same house type design let at rentals between £1,135.00 - £1,235.00 per month.
  - b) Bagwall Crescent, Darlaston – an end-terraced town house of the same house type design let at £1,150.00 per month.
  - c) Backstone, Darlaston – four end terraced town houses of the same house type design let at £1,150 - £1,195.00 per month.

### **Determination and Valuation**

14. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided by the Landlord, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £1,150.00 pcm. This is the rent we would expect the property to let for in the open market if it was in the same general condition as the comparable properties.

15. However, an adjustment is required for the CCTV system fitted by the tenants as follows:

|                            |               |
|----------------------------|---------------|
| Market Rent                | £1,150.00     |
| less                       |               |
| CCTV fitted by the tenants | <u>£15.00</u> |
| Market Rent                | £1,135.00     |

### **Decision**

16. The Tribunal therefore determined that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under an assured tenancy was £1,135.00 per month with effect from 24 June 2025.

### **Undue Hardship**

17. The new rent takes effect from the date specified in the Landlord's Notice of Increase 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 the date a Tribunal makes its determination.
18. The Tenant has not asked the Tribunal to fix a later starting date in this case.

**Chairman: G S Freckelton FRICS**

**Date: 23 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.