

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/17UG/MNR/2025/0709
Property	63B Station Road Sandiacre Nottingham NG10 5AG
Tenant	John Diamond
Tenant's Representative	None
Landlord	James Perrett & Nicole Pedrosa (Fixed Charge Receivers for James Patrick Gallagher)
Landlord's Address	c/o 2 Crescent Office Park Clarks Way Bath BA2 2AF
Landlord's Representative	Touchstone Corporate Property Service
Date of Application	04 June 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr G S Freckelton FRICS (Chairman)
Date of Decision	23 September 2026
Rent Determined	£650.00 per calendar month
Date the new rent takes effect	23 June 2025

REASONS FOR THE DECISION

Background

1. On 14 May 2025 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £750.00 per month in place of the existing rent of £450.00 to take effect from 23 June 2025.
2. On 04 June 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. Based on the Application Form the Tribunal understands that the assured tenancy commenced on 23 February 2021 for an undisclosed term. The rental period is assumed to be 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 first floor flat offering the following accommodation:

Living room, kitchen, one double bedroom, one single bedroom/boxroom and bathroom.

The Property is understood to benefit from central heating. Based on internet mapping it appears the property is double glazed.

Evidence

10. The Tribunal has considered the written submissions provided by the tenant and the landlord.
11. The tenant submits:
- a) That the previous landlord had the property valued at £650.00 per month.
 - b) The proposed increase to £750.00 per month is unjustified.
12. The landlord submits:
- a) That they have no knowledge of the property as they are appointed as Receivers.
13. The landlord submitted brief details of four properties as comparables:
- i) A small flat above a shop at an unknown address, marketed by a letting agent based in St Albans offered at £650.00 per month.
 - ii) A semi-detached house at an unknown address, marketed by a letting agent based in Ilkeston, Derbyshire offered at £800.00 per month.
 - iii) A modernised room/small flat with its own kitchen at an unknown address, marketed by a letting agent based in Derby offered at £750.00 per month.
 - iv) A modernised room/small flat with its own kitchen at an unknown address, marketed by a letting agent based in Derby offered at £825.00 per month.
14. The final paragraph of the Directions dated 24 June 2025 directed the parties to send to the other party copies of all emails and letters sent to the Tribunal. The Reply Form submitted by the landlord confirms that this has not been done and that a copy has not been sent to the tenant. This is in contravention of the Tribunal's Directions.
15. The Tribunal considered this omission and as the tenant has not had an opportunity to respond determined that it would send a copy to the tenant for comment. The Tribunal was then informed by the landlord that the tenant had been evicted.

16. The Tribunal determined that the evidence provided by the landlord in this case was of no assistance and had no bearing on its determination. The landlord confirmed in the Reply Form that it had no knowledge of the property and the comparables provided were of no assistance to the Tribunal as there were no addresses provided and the types and condition of the comparables could not be shown to be comparable to the subject property.

Determination and Valuation

17. 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 would be in the order of £650.00 pcm. This is the rent we would expect the property to let for in the open market.

Decision

18. 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 £650.00 per month with effect from 23 June 2025.

Undue Hardship

19. 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.
20. 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.