	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**HAV/21UC/MNR/2025/0828**
Property	**Flat 3** **46 Cavendish Place** **Eastbourne** **East Sussex** **BN21 3HY**
Tenants	**Mr P Douglas**
Tenant's Representative	**None**
Landlord	**Mr G Carr**
Landlord's Address	**11 Marine Parade** **Eastbourne** **East Sussex** **BN21 3DX**
Landlord's Representative	**Ms L Carr**
Date of Application	**24th November 2025**
Type of Application	**Determination of a Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**I R Perry FRICS** **N I Robinson FRICS**
Date of Decision	**13th July 2026, corrected 24th August 2026**
Rent Determined	**£610 per calendar month**
Date the new rent takes effect	**27th November 2025**

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REASONS FOR THE DECISION

Background

1. On 22nd October 2025 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £690 per calendar month ("pcm") for the Property in place of the existing rent of £520 pcm to take effect from 27th November 2025.

2. On 24th November 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 original tenancy commenced on 27th November 2020.

Allocation of Repairs between Landlord and Tenant.

4. The Landlord is responsible for repairs.

Services Charges or furniture provided by Landlord (other than carpets and curtain and white goods specified below) and the costs relating to the same.

5. The Landlord pays the utility bills and recharges them between the flats in the building.

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

Hearing

8. Neither party requested a hearing.

The Property

9. The Property is said to be a single living/bedroom/kitchen and en-suite shower room with wc. within a converted bay fronted period house.

10. The property has gas-fired central heating, single glazed windows, fitted carpet and curtains, fitted hob and a freestanding air frier.

Evidence

11. The Tenant provided an application form. The Landlord's agent provided a statement with supporting documents including a copy of an Energy Performance Certificate with a 'C' rating.

The Tenant.

12. The Tenant made the following submissions/comments:

    a) The rent is £120 per week, which would equate to £520 pcm.
    b) He is required to keep drains clear and encounters difficulties as the macerator does not always work properly.
    c) The flat below, which is larger, is let for £690 pcm.
    d) The neighbouring building is used by the local authority for emergency housing. The occupiers often cause anti-social behaviour
    e) The proposed increase will cause financial hardship as the Tenant receives £92.30 of universal credit.
    f) A number of improvements have been made.
    g) The windows are in poor condition and need to be replaced.
    h) The Tenant suggest that the rent should be kept low in order to compensate for a number of years when repairs were not completed by the Landlord.
    i) The Landlord failed to obtain a possession order in April 2025.
    j) The Tenant provides comparable studio flats available for £650 pcm.
    k) The Tenant sets out a history of issues that have affected him dating back to August 2021.
    l) The Tenant includes a number of photographs showing general wants of repair.

The Landlord

13. The Landlord's Agent made the following submissions/comments:

    a) Photographs of the property when unoccupied.

b) Details of other rooms available to rent with asking rents of £735-£960 pcm.
c) A statement that the windows are to be replaced when planning permission has been obtained.

Determination and Valuation

14. The role of the Tribunal is to determine a market rent as at the date specified in the Notice. The Tribunal is not empowered to make any adjustments in rent as a penalty set against previous behaviour by either party.

15. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided by the Parties, the Tribunal considers that the market rental of the subject Property in good order would be in the order of £675 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 including having white goods, flooring and curtains provided by the landlord.

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

a) The Tenant's provision of white goods.
b) Defective windows.
c) General wants of repair.

The full valuation is shown below:

Starting Rent			£675 pcm
Less			
a)	Items given under a) above	£20	
b)	Items given under b) above	£25	
c)	Items given under c) above	£20	£65
Market rent			**£610 pcm**

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 stated that an increase would cause hardship as he is in receipt of Universal Credit but provided no additional supporting evidence. The Tribunal is therefore not satisfied that the statutory test for **undue** hardship is met.

Decision

19. Therefore, the Tribunal determines the market rent at £610 per calendar month with effect from 27th November 2025, this being the date specified in the Notice.

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.