

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/44UF/MNR/2025/0700
Property	19A St. Johns, Coventry Rd., Warwick, CV34 4NE
Tenant	Tim Potter
Tenant's Representative	Kate Wright
Landlord	Heywood & Partners
Landlord's Address	Julco House, 26-28 Great Portland St., London, W1W 8QT
Landlord's Representative	N/A
Date of Application	12 March 2025
Type of Application	Determination of Market Rent under sections 13 & 14 of the Housing Act 1988
Tribunal Members	I.D. Humphries B.Sc.(Est.Man.) FRICS D. Douglas
Date of Decision	6 October 2026
Rent Determined	£525.00 per calendar month
Date the new rent takes effect	18 March 2025

REASONS FOR THE DECISION

Background

1. On 4 February 2025 the landlord served notice under Section 13(2) of the Housing Act 1988 ('the Act') proposing a new rent of £850.00 per calendar month (pcm) in place of the existing rent of £525.00 pcm to take effect on 18 March 2025.
2. On 12 March 2025, the tenant referred the landlord's notice proposing a new rent to the Tribunal for determination of a market rent under section 13(4)(a) of the Housing Act 1988.
3. The tenant was granted an Assured Shorthold Tenancy which became an Assured Periodic tenancy under the Renters Rights Act 2025.

Allocation of Repairs between Landlord and Tenant.

4. In accordance with 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.

5. None.

Liability for Council Tax

6. The tenant is responsible for paying Council Tax. The rent determined is exclusive of Council Tax.

Any other terms of the tenancy taken into consideration in determining the rent.

7. There are no unusual terms as far as we are aware.

Inspection/Hearing

8. Neither party requested an oral hearing. The Tribunal has considered the case based on the tenant's submission and its own general knowledge and expertise.

The Property

9. The property is a first floor flat above a parade of shops near Warwick town centre.
10. The accommodation comprises a living room, two bedrooms, kitchen and bathroom.
11. According to the landlord, the property has central heating and double glazing but this is denied by the tenant's representative. These points were not the main factors influencing the Tribunal's decision on this occasion and not considered to materially affect the rental value in this case. The flat was let unfurnished.

Evidence

The Tenant

12. The tenant's representative advises that the flat is above a parade of shops of which at least one is a pizza shop open until the early hours, causing noise and disturbance. It is accessed via stairs that are often unlit and partly blocked by rubbish. Other tenants in the block have been evicted from time to time and their flats have been locked up to deter intruders. The carpets are threadbare, there is water ingress in several places, peeling paintwork and general neglect.
13. Photographs are provided to verify the points.

The Landlords

14. The landlord's agent advises that comparable flats in the same parade and surrounding area are achieving similar rents for flats of the same size, and the notice rent represents the market value.
15. No comparable evidence was provided to support the landlord's claim.

Determination and Valuation

16. From the photographs, the flat was in poor condition at the time of the submission. There were visible damp stains on ceilings and walls, the carpets were worn and the photographs showed the accommodation needed complete refurbishment to bring it to the standard expected by tenants in the present market.

Undue hardship

17. No application has been made for the effective date to be delayed due to 'undue hardship' under s.14(7) of the Housing Act 1988 and accordingly, we find the effective date of increase to be the date in the landlord's Notice, 18 March 2025.

Decision

18. The Tribunal determines the market rent under section 14 of the Housing Act 1988 at £525.00 per calendar month with effect from 18 March 2025.

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.