	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**HAV/00HA/MRA/2026/0008**
Property	**Flat 3, 1 Bathwick Street, Second Floor, Bath, BA2 6NX Case Bundle**
Tenant	**Sara Pavanel & James Banfield**
Tenant's Representative	**-**
Landlord	**Philip Cooper**
Landlord's Address	**c/o Allen & Harris, 7 Princes Buildings, Bath, BA1 2ED.**
Landlord's Representative	**-**
Date of Application	**17 June 2026**
Type of Application	**Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**W H Gater FRICS (Chair)**
Date of Decision	**14 October 2026**
Rent Determined	**£1,100 per calendar month**
Date of Valuation	**14 October 2026**
Date the new rent takes effect	**27 October 2026**

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REASONS FOR THE DECISION

Background

1. On 22 May 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £1,250 per calendar month(pcm) in place of the existing rent of £1,150 pcm to take effect from 27 July 2026.

2. On 17 June 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 27 June 2024. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant.

4. As per section 11 of the Landlord and Tenant Act 1985.

Liability for Council Tax

5. The Tenants are responsible for the payment of Council Tax in respect of the Property. The rent determined is exclusive of Council Tax.

Hearing

6. Neither party requested 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

7. The Property is a second-floor flat forming part of a period property and comprises an entrance hallway, open-plan kitchen/living room, bedroom, rear storage room and bathroom. There is also a small storage area on the common landing, described by the Tenant as a "nook". The Property has gas heating but no double glazing. Floor coverings are provided by the Landlord. The Property is situated in Bath, a short distance from the city centre.

Evidence

8. The Tenants completed the relevant MR1 reply form. The Landlord did not file an MR2 response.

9. The Tenant requested an inspection by the Tribunal. This request was refused by the Tribunal on 15 September 2026, which considered that the photographic evidence was sufficient to deal with the case fairly and proportionally under the Tribunal's overriding objective.

The Tenant

10. The Tenants made the following comments:

    a) The property's physical condition falls well below the standard of a well-maintained property commanding premium rates in Bath.

    b) The back bedroom and rear room suffer from mould and damp.

    c) Windows are structurally failing and kitchen sub floor is failing.

    d) Floor coverings are in poor order.

    e) There is a history of utility failures and neglect of gas safety issues.

    f) Fittings are the original 1980s units.

11. The Tenants did not provide comparable rental evidence but proposed a rent of £1,050 pcm until repairs/remediation are completed.

The Landlord

12. The Landlord did not provide any evidence.

Determination and Valuation

13. 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.

14. The Landlord did not provide any evidence in response to the application. The Tribunal therefore accepts the Tenants' unchallenged evidence as to the condition of the Property.

15. The Tribunal notes that the rear room is approximately 4.86 m² in area and attributes limited value to the room other than for storage purposes. It also finds that the Property does not have the supply of white goods usually expected by the market.

16. Relying on its own expertise and general knowledge of rental values in the area, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £1,275 pcm. This is the rent we would expect the property to let for in the open market at the valuation date and if it was in the same general condition as the market expects.

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

    a) Persistent mould and dampness
    b) Poor condition of windows
    c) Lack of double glazing
    d) Defective kitchen floor
    e) Defective floor coverings
    f) Reliability issues with utilities.
    g) Lack of white goods.

The full valuation is shown below:

Starting Rent			£1,275 pcm
Less			
a)	Items given under a) above	£25	
b)	Items given under b) above	£25	
c)	Items given under c) above	£25	
d)	Items given under d) above	£25	
e)	Items given under e) above	£25	
f)	Items given under f) above	£25	
g)	Items given under (g) above	£25	Sub-total - £175

Open-Market Rent **£1,100 pcm**

Decision

18. The Tribunal determines the new rent amount at **£1,100** per calendar month with effect from **27 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.