FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**HAV/00HH/MRA/2026/0006**
Property	**23 Preston Down Road, Paignton, Devon, TQ3 2RR**
Tenants	**(1) Wendy Ford; (2) Michael Ford**
Landlord	**Timothy Pepper**
Date of Application	**8 June 2026**
Type of Application	**Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Mr D Cotterell FRICS** **Ms S Johnson**
Date of Decision	**8 October 2026**
Rent Determined	**£900.00 per calendar month**
Date of Valuation	**1 September 2026**
Date the new rent takes effect	**1 November 2026**

REASONS FOR THE DECISION

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Background

1. On 4 June 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £1,100.00 per calendar month(pcm) in place of the existing rent of £ 900.00 pcm to take effect from 1 September 2026.

2. On 8 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 1 December 2019. 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 curtain and white goods) and the costs relating to the same.

5. None.

Liability for Council Tax

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

Hearing

7. 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

8. The Property is a detached bungalow comprising 2 bedrooms, 1 bathroom, 1 WC, 1 lounge/diner, 1 kitchen. Externally there is a garden and shed. The property has double glazing and is carpeted.

9. The Property is located in a residential neighbourhood, a short distance from the seafront and a mile to the north of Paignton town centre.

Evidence

10. The parties completed the relevant MR1 (tenant), MR2 (landlord) and MR3 (tenant's reply).

The Tenant

11. The Tenant made the following comments:

    a) The Tenant stated that they had carried out various works of improvement namely: "*… we converted the bathroom to a wet room built a kitchen (totally) ie put in units and worktops etc also carpeted throughout decorated the whole property fitted new doors and door furniture, plastered walls/ cleared gardens front and back added a radiator to existing heating system*" and also mentioned installing "*draining tunnels*" in the property's driveway.

    b) The Tenant stated that the shed is unusable as it contains the Landlord's late mother's belongings. They stated that it had been agreed that the storage would be temporary, but that it had continued.

    c) The Tenant mentions various matters of disrepair, including external render falling away, a defective patio door with a rotten wooden threshold, leaking gutters, a front door affected by damp, and a rear gate in poor condition.

12. The Tenant did not provide comparable rental evidence.

The Landlord

13. The Landlord made the following comments:

    a) The Landlord claims that there was an agreement with the tenants at the outset of the tenancy to let the Property at a "*reduced rent … charged as the tenants agreed to decorate the property, tidy the garden and carry out maintenance as required. The tenancy was agreed with my late mothers belongings stored in the garage. Any other work on the property was done without my knowledge, agreement or consent*".

14. The following comparables were provided by the Landlord in the form of a "Rental Valuation Letter" prepared by Winfields Sales & Lettings Ltd:

    1. Preston Down Road, Paignton TQ3 - 2-bedroom semi-detached house - Approx. 883 sq ft - Advertised at £1,225 pcm - Listed May 2026.

    2. Seaway Road, Preston, Paignton TQ3 - 2-bedroom house - Advertised at £1,100 pcm - Similar Preston location and tenant demand profile. - Listed May 2026.

Determination and Valuation

15. 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.

16. Relying on its own expertise and general knowledge of rental values in the area, and the comparables provided by the Landlord, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £ 1,100.00 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 comparable properties.

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

    a) Disrepair
    b) Tenants' improvements (excluding decoration)
    c) Loss of use of shed

    The full valuation is shown below:

Starting Rent			£1,100.00 pcm
Less			
a)	Items given under a) above	£ 100.00	
b)	Items given under b) above	£ 75.00	
c)	Items given under c) above	£ 25.00	
Open-Market Rent			**£ 900.00 pcm**

Decision

18. The Tribunal determines the new rent amount at £900.00 per calendar month with effect from 1 November 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.