	**FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)**
Case Reference	**HAV/24UC/F77/2026/0021**
Property	**7 Penns Road, Petersfield, Hampshire, GU32 2EN**
Tenant	**Mrs Mandy Donaghy**
Landlord	**Ms Jane Hilton**
Landlord's Representative	**Martin & Co**
Date of Objection	**26 June 2026**
Type of Application	**Determination Following an Objection to the Registration of a Fair Rent – Rent Act 1977, Schedule 11**
Tribunal Members	**D W Cotterell FRICS – Chair M Woodrow MRICS**
Date of Decision	**2 September 2026**

DECISION

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REASONS FOR THE DECISION

Summary of Decision

On 2 September 2026 the Tribunal determined a Fair Rent of £850.00 per calendar month to take effect from that date.

Background

1. The reference to the Tribunal concerned the determination of a Fair Rent for the subject property following an objection by the applicant landlord to the Registration of a Fair Rent pursuant to the Rent Act 1977.

2. By an application form RR1, dated31 March 2026 (received 7 April 2026) the respondent landlord's agent submitted an application for the registration of a fair rent for the Property and on 4 June 2026, the Rent Officer registered a rent of £835.00 per calendar month effective from that date. On 26 June 2026, the landlord objected, by their agent, to the registration and the Rent Officer referred the matter to the Tribunal for determination.

3. The Tribunal does not routinely consider it necessary and proportionate in cases of this nature to undertake inspections or hold Tribunal hearings unless either are specifically requested by either party or a particular point arises which merits such an inspection or hearing.

4. The Tribunal issued Directions on 24 July 2026 informing the parties that, unless either party objected, the Tribunal intended to determine

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the rent based on written representations; it also provided a blank rent appeal statement proforma for the parties to complete. The parties were invited to make submissions which could include photographs or videos.

5. The landlord submitted representations to the Tribunal on the 7 August 2026 which had been copied to the tenant; on 10 August 2026, the Tribunal received representations from the tenant.

6. These reasons address the key issues raised by the parties. They do not recite each and every point referred to either in submissions or during any hearing; however, this does not imply that any points raised, or documents not specifically mentioned were disregarded. If a point or document was referred to in the evidence or submissions that was relevant to a specific issue, then it was considered by the Tribunal. The Tribunal concentrates on those issues which, in its opinion, are fundamental to the application

Liability for Council Tax

7. The Tenant is responsible for the payment of Council Tax in respect of the Property. The rent determined is exclusive of Council Tax.

Inspection/Hearing

8. Neither party objected to the matter being determined without an inspection or oral hearing, so the Tribunal determined the case on 2 September 2026 based on the written representations received and its own knowledge and specialist expertise.

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The Property

9. The Property is a mid-terraced house with a garden at the rear. The accommodation includes on the ground floor, a kitchen and bathroom, with first floor including 3 bedrooms, bathroom / WC. Garden; on-street parking.

10. There is apparent disagreement between the parties as to facilities and equipment included in the tenancy. The Tribunal has compared and considered the information provided and prefers the information, on that point, as supplied by the tenant. The property is not centrally heated, is double glazed and the tenant has also provided all carpets, curtains and white goods.

11. The Property is situated close to the centre of Petersfield accessing central amenities and railway station in close proximity.

Submissions & Evidence

12. The Tribunal has the benefit of a copy of the Register detailing a registration of a rent of £835.00 per calendar month, registered on 4 June 2026 and effective from that date, together with a schedule of comparable lettings of property in the vicinity.

13. In the landlord's submission, it is asserted that the open market rent for the property is over £1200 per calendar month having regard to size and based on comparable evidence supplied.

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14. The tenant's submissions do not include any market evidence but point out that the property is in need of redecoration.

The Law

15. When determining a fair rent in accordance with section 70 of the Rent Act 1977, the tribunal has regard to all the circumstances (other than personal circumstances) including the age, location and state of repair of the property. In Spath Holme Ltd v Chairman of the Greater Manchester etc. Committee (1995) 28 HLR 107 and Curtis v London Rent Assessment Committee [1999] QB 92 the Court of Appeal emphasised that ordinarily a Fair Rent is the market rent for the property discounted for 'scarcity' (i.e. that element, if any, of the market rent, that is attributable to there being a significant shortage of similar properties in the wider locality available for letting on similar terms - other than as to rent - to that of the regulated tenancy) and that for the purposes of determining the market rent, assured tenancy (market) rents are usually appropriate comparables.

Determination and Valuation

16. The Tribunal first considered whether it felt able to reasonably and fairly decide this case based on the papers submitted only with no oral hearing. Having read and considered the papers it decided that it could do so.

17. The Tribunal is required to determine the rent at which the subject property might reasonably be expected to be let in the open market by willing parties, and to adjust that amount to reflect the subject Property's circumstances such as the tenancy terms provision of

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carpets, curtains, white goods, or furniture. The Tribunal will ignore the effect of any improvements made by the tenant, on the property's rental value.

18. Having carefully considered the representations from the parties and associated correspondence and using its own judgement and knowledge of rental values in Petersfield and surrounding areas, the Tribunal decided that having regard to the Property's situation and amenities the market rent for a property let on a new tenancy would be in the region of £1,200 per calendar month.

19. Such an open market letting would be for a tenantable property in good order with the Landlord responsible for internal decoration and on the basis that carpets, curtains and white goods would all be provided by the Landlord. In this case however, the tenant is responsible for internal decoration and no white goods, carpets or curtains have been provided. The above rent amount needs to be adjusted to reflect those differences, and scarcity, if any.

20. Using its experience the Tribunal decided that the following adjustments should be made:

Tenant's provision of white goods	£ 40 / month
No carpets & curtains provided	£60 / month
No central heating	£120 / month
Dated kitchen	£80 / month
Disrepair	£50 / month
TOTAL deduction per month	£350 / month

The adjusted market rent is therefore £850.00 per calendar month. The Tribunal made no adjustment for scarcity in this location.

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21. The provisions of the Rent Acts (Maximum Fair Rent) Order 1999, which indicates a cap of £952.50 per calendar month, do not apply because the adjusted market rent is less than the cap. The calculation of the capped amount is shown on the decision form.

Decision

22. The uncapped rent being lower than the capped amount, the lower rent of £850.00 per calendar month is therefore to be registered as the Fair Rent for this Property.

APPEAL PROVISIONS

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the Tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the Regional Office which has been dealing with the case. The application should be made on Form RP PTA available at https://www.gov.uk/government/publications/form-rp-pta-application-forpermission-to-appeal-a-decision-to-the-upper-tribunal-lands-chamber

The application for permission to appeal must arrive at the Regional Office within 28 days after the Tribunal sends written reasons for the decision to the person making the application.

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If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the Tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the Tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking. Please note that if you are seeking permission to appeal against a decision made by the Tribunal under the Rent Act 1977, the Housing Act 1988 or the Local Government and Housing Act 1989, this can only be on a point of law.

If the First-tier Tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).

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