



**FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER (RESIDENTIAL  
PROPERTY)**

**Case reference** : **MAN/00BN/MNR/2021/00235**

**Property** : **Flat A40.02, 9 Owen Street, Manchester  
M15 4TU**

**Applicant** : **Robert Dyer and Lee Carroll**

**Representative** :

**Respondent** : **O'Connor Bowden**

**Representative** :

**Type of application** : **Decision in relation to section 13 of the  
Housing Act 1988**

**Tribunal  
member(s)** : **Judge J O White  
Valuer S Latham**

**Venue** : **(p): Paper determination  
Property Chamber, Northern  
Residential Property first-tier Tribunal,  
1<sup>st</sup> floor, Piccadilly Exchange, 2  
Piccadilly Plaza, Manchester, M1 4AH**

**Date of decision** : **6 September 2022**

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**DECISION**

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**Decision:**

The proposed rent increase is invalid. The rent remains at £1200 until such time as the tenancy ended.

**Reasons:**

1. The tribunal received an application under section 13 of the Housing Act 1988 (“the Act”). It was accompanied by a Notice dated 16 November 2021 proposing a rent increase from £1200 to £1395 per month from 26 December 2021. Since 25 June 2020, the applicant has had an assured tenancy of Flat A40.02, 9 Owen Street, Manchester M15 4TU (“the Property”).
2. On 18 February 2022 the tenant informed the tribunal that they had vacated the Property in January 2022 and the Landlord was delaying the return of their deposit. On the same day the parties were invited to send written representations to the tribunal. The Landlord did not reply. The tribunal made a paper determination on 6 September 2022.
3. A landlord may service a notice to increase rent in accordance with S13(2) Housing Act 1988 (the Act). The Notice must be on the prescribed form. It is incorrectly completed as the address of the Property is missing from the Notice.
4. In addition, in accordance with s14 (8) of the Act, as the tenancy has come to an end the tribunal is no longer required to continue with a determination of a market rent..
5. As a consequence, the rent remains £1200 for the period of the tenancy.
6. As this decision has been made without a hearing, or other opportunity to make representations, it remains an interim decision for 14 days from the date it is issued to the parties. If no representations are made within that time the decision will become final.

**Name:** Judge White

**Date:** 6 September 2022

## **Rights of appeal**

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 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.

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.

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