



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

Case Reference : **BIR/00CN/MNR/2024/0624**

Property : **4 Arcot Road, Birmingham. B28 8LZ**

Tenant : **Mahmoud Alawad & Safaa Al Barakat**

Landlord : **Unknown**

Landlord's agent : **Blackstone Properties**

Date of application : **6th October 2024**

Type of Application : **Determination of a Market Rent
sections 13 & 14 of the Housing Act
1988**

Tribunal Members : **Thomas Wyn Jones. FRICS
Ian Humphries. FRICS
Mark Alexander. MRICS**

Date of Decision : **13 March 2025**

DECISION

**The Tribunal determines a rent of £875.00 per month with effect
from 14th February 2025**

REASONS FOR THE DECISION

Background

1. On 13th September 2024 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,325 per month in place of the existing rent of £725 per month to take effect from 15th October 2024.
2. On 6th October 2024, under Section 13(4)(a) of the Housing Act 1988, the Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of the market rent.

Inspection

3. The Tribunal inspected the property at 10.00am on 14th February 2025 in the company of the Tenants Mahmoud Alawad & Safaa Al Barakat and thereafter considered the case on the basis of the papers provided by the parties having regard to its own knowledge, expertise and online research.

Evidence

4. The Tribunal has considered the written submissions provided by the parties. From the information provided and on inspecting the subject property it is noted that the property in question comprises a two-bedroom, semi-detached residence with accommodation including entrance hallway, living room, kitchen and on the 1st floor, landing, bathroom and 2 bedrooms. The property with paved parking area to front and lawned garden to rear benefits from gas fired central heating and uPVC double glazing however suffers from elements of disrepair including moisture ingress, a number of missing internal doors and general wear and tear both internally and externally.
5. The Tribunal was informed by the Tenant that they had replaced areas of carpeting, installed wall units in the kitchen together with a handheld shower attachment to the bath. Further, the Tribunal was informed that although the white goods belonged to the tenant the electric cooker which had recently been replaced, and the hob were a Landlord's fixture.
6. The Landlord's agent in their submission provided the Tribunal with comparable evidence outlining property rents ranging from £1200 to £1350 per calendar month together with details of the recent letting of 138 Tenby Road at £1100 per calendar month which they considered to be of a similar size, with no driveway and located in a less prestigious area. Additional comparable information of two-bedroom properties ranging from £850-£1150 per calendar month was submitted to the Tribunal.

The Tribunal also noted in his email of 28 May 2024 “Ali” of Blackstone Properties (Agent for the Landlord) suggested that a rent of £1000 would be acceptable.

Determination and Valuation

7. Having due regard to the comparable evidence provided by the parties and attributed such weight as we deem appropriate to each and taking into consideration our own expert knowledge of rental values in the area, we consider that the open market rent for the property in good tenantable condition would be in the region of £1,000 per month.

From this level of rent we have made adjustments in relation to:

- a) The property condition
- b) Improvements carried out by the Tenant
- c) Curtains, carpets and white goods fitted by the Tenant
- d) The Tenant’s liability to redecorate.

8. The full valuation is shown below:

Market Rent		Per month £1,000
<u>Less</u>		
a) Items given under a) above	£50	
b) Items given under b) above	£25	
c) Items given under c) above	£25	
d) Tenant’s internal decoration liability	<u>£25</u>	
	<u>£125</u>	
		<u>£125</u>
	Say	<u>£875</u>

Decision

12. The Tribunal therefore determined that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under an assured tenancy was £875 per month with effect from 15th October 2024.

Hardship

9. The Tenant raises the matter of hardship in their submissions accordingly the Tribunal directs the new rent of £875 per month is to take effect from 14th February 2025.

Chairman: Thomas Wyn Jones

Date: 14th February 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.

**Notice of the Tribunal Decision and
Register of Rents under Assured Periodic Tenancies
(Section 14 Determination)**

Housing Act 1988 Section 14

Address of Premises

**4 Arcot Road
Birmingham.
B28 8LZ**

The Tribunal members were

**Thomas Wyn Jones. FRICS
Ian Humphries. FRICS
Mark Alexander. MRICS**

Landlord

Unknown

Address

Landlord's Agent Blackstone Properties, 774 Stratford Road, Sparkhill, Birmingham. B11 4BP

Tenant

1. The rent is:

£875

Per

month

(excluding water rates and council tax but including any amounts in paras 3)

2. The date the decision takes effect is:

3. The amount included for services is not applicable

Per

4. Date assured tenancy commenced

15th January 2023

5. Length of the term or rental period

6 months

6. Allocation of liability for repairs

Landlord and Tenant Act 1985

7. Furniture provided by landlord or superior landlord

8. Description of premises

2-bedroom centrally heated and double-glazed semi-detached house with parking to front and gardens to the rear

Chairman

**Thomas Wyn
Jones**

Date of Decision

14th February 2025