

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

Housing Act 1988 Section 14

Address of Premises

406 Hulton Lane, Deane, Bolton BL3 4LJ

The Tribunal members were

Judge A M Davies
Mr A Hossain, MRICS

Landlord

WELLBASE ESTATES LIMITED

Address

25-27 Brackley Street, Farnworth BL3 9DS
39 Whittaker Lane, Prestwich M25 1HA

Tenant

Miss CHERYL FISHER

1. The rent is: £595 Per month (excluding water rates and council tax but including any amounts in paras 3 & 4)

2. The date the decision takes effect is: 24 April 2024

3. The amount included for services is not applicable

Per

4. Date periodic/statutory periodic assured tenancy commenced

24 January 2018

5. Rental period

monthly

6. Allocation of liability for repairs

s.11, Landlord and Tenant Act 1985

7. Furniture provided by landlord or superior landlord

None

8. Description of premises

C1900 mid-terrace, 2 bedroomed, garden

Chairman

A M Davies

Date of Decision

1 October 2024



FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference : MAN/00BL/MNR/2024/0108

Property : 406 Hulton Lane, Bolton BL3 4LJ

Applicant : Ms Cheryl Fisher

Respondent : Wellbase Estates Limited

Type of Application : Section 14, Housing Act 1988: Market Rent

Tribunal Members : Tribunal Judge A M Davies
Tribunal Member A Hossain, BSc (Est Man)
MRICS

Date of Decision : 1 October 2024

REASONS for DECISION

1. The Tribunal inspected 406 Hulton Lane, Bolton on 1st October 2024 in the presence of the Applicant Ms Fisher and Miss Harrison, from the Respondent's letting agents.
2. The Tribunal's visit was made following Ms Fisher's application for the Tribunal to fix a market rent for the property. She had received a notice from the Landlord requiring an increase in rent from £450 to £725 per month. The notice was dated 20 March 2024 and the new rent was to start on 24 April 2024. Ms Fisher did not agree that the proposed rent represented the correct market rent for her property.
3. 406 Hulton Road is a mid-terrace house built of brick under a slate roof around 1900. There is a small garden area to the front and an enclosed rear garden. The property has double glazing, gas central heating and all mains services. There is a living room

and dining kitchen on the ground floor, and 2 bedrooms and a bathroom on the first floor.

4. The tenancy began on 24 January 2018, when the rent was £425 per month. The landlord did not provide white goods, window coverings or furniture.
5. On inspection, the Tribunal found that there was significant amount of rising damp in the front and side walls. On the ground floor the injected DPC appeared to have failed. The Tribunal noted plants growing in the gutters and areas where roof slates had moved and sagged. There was evidence of penetrating damp and problems with mould at ground and first floor level. The Tribunal were told that in very wet weather this led to dripping water in the rear bedroom.
6. The bathroom fittings included an over-bath shower. There was no window. A small fan provided extraction of damp air apparently into the loft, and the Tribunal considered ventilation in the bathroom to be inadequate.
7. The double glazed units were fitted with trickle vents but the Tribunal were told that these were not working. The UPVC front door was not weathertight. Lino flooring in the kitchen had lifted and was worn. Part of the garden fence consists of stones which are leaning and were thought to be potentially dangerous. Pointing at the property was defective in places, adding to the damp problems in the house.
8. On the basis of its professional knowledge of rents in the area, the Tribunal noted that the market rent for a two bedroomed property in good letting order in the BL3 area was approximately £725. From this, the Tribunal made the following deductions: for non-provision of white goods and curtains: £20 pm; for the lack of repair noted above: £110 pm. This resulted in a current market rent of £595 for the property.