



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

Case Reference : **BIR/37UD/MNR/2025/0611**

Property : **3 Westmaner Court Hall Drive Beeston
Nottingham NG9 5DQ**

Tenant : **David Pearson**

Landlord : **Meadow Lane Services Limited**

Landlord's agent : **Robert Ellis Property Management**

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

Tribunal Members : **V Ward BSc Hons FRICS
N Atherton MRICS Dip Rating**

Date of Decision : **29 August 2025**

Date of Issue : **29 September 2025**

DECISION

**The Tribunal determines a rent of £585.00 per calendar month with
effect from 24 July 2025.**

REASONS FOR THE DECISION

Background

1. The Landlord served a notice under Section 13(2) of the Housing Act 1988 (“the Act”) which proposed a new rent of £650.00 per calendar month (pcm), in place of the existing rent of £565.00 pcm, to take effect from 24 January 2025. The original tenancy commenced on 24 January 2014.
2. By an application received on 20 January 2025, under Section 13(4)(a) of the Act, the Tenant referred the Landlord’s notice proposing a new rent to the Tribunal for determination of a market rent.
3. There were initially concerns over the validity of the notice however the Tribunal satisfied itself as to the validity of the notice sufficient for its jurisdiction to be engaged.
4. Neither party requested an oral hearing. Accordingly, the Tribunal has considered this case on the basis of an inspection, the papers provided by the parties and its own knowledge, expertise and online research.

The Property

5. The Tribunal carried out an inspection of the Property on 12 September 2025 in the presence of the Tenant, the Landlord did not attend.
6. The Property was found to be a ground floor flat forming part of a modern three storey development, offering the following accommodation:

Hall, open plan kitchen/lounge, one bedroom, and bathroom with full suite including shower .

Outside: Garage.

The Property benefits from heating by electric oil filled radiators and double glazing.

The Property is situated in the Beeston area of Nottingham within close proximity of amenities. Nottingham City Centre is approximately 4 ½ miles to the north east.

The Tenant confirmed that they had provided the white goods and curtains. In addition, the Tenant stated that they had fitted the shower to the bathroom and had tiled the same.

Evidence

7. Both the Tenant and the Landlord returned the Tribunal's Reply forms.

The Tenant.

8. The Tenant made the following comments:
- a) Damp issues are noted in all rooms requiring dehumidifiers to be run constantly. Black mould present despite numerous treatments by the Tenant.
 - b) Rats in the cavity walls.
 - c) Broken waste pipe underground.
 - d) No improvements made to kitchen for at least 11 years or to the property generally.
 - e) The Tenant at his own expense has installed foil insulation to the ceiling and added underlay to carpets to aid insulation.
 - f) Damaged bathroom ceiling due to workers upgrading flat above.
9. In terms of rental evidence, the Tenant had provided an extract from the property portal "Get On the Market" which gave a rental range for the Property from £383.00 to £670.00 pcm.
10. The Landlord provided details of the Property as confirmed by the Tribunal's own inspection but did not submit any rental evidence.

Determination and Valuation

11. Relying on its own expert, general knowledge of rental values in the area, the Tribunal considers that the majority of achieved rentals appear to be in the order of £650.00 to £800.00 pcm for this type of Property – a purpose built one bedroom flat.
12. Considering the Property relative to the comparable information, the Tribunal considers that the subject in good order would command a rental of approximately £670.00 pcm. However, to allow for the fact that the Property has not been modernised or updated for some time, Tribunal adopts, as a starting point, the rental of £620.00 pcm.
13. From this level of rent, the Tribunal has made adjustments in relation to the following:

- a) Issues with the Property including condensation.
- b) The Tenant's installation of the shower/tiling and fittings including white goods and curtains.

The full valuation is shown below:

Market Rent		pcm
		<u>£620.00</u>
<u>Less</u>		
a) Items given under a) above	£25.00	
b) Items given under b) above	£10.00	
		£35.00
Say		<u>£585.00</u>

Hardship

12. Usually, the new rent will take effect from the date specified in the Landlord's Notice of Increase but where that date would cause undue hardship to the tenant, then by section 14(7) of the 1988 Act, the Tribunal has a discretion to fix a later starting date up to the date a Tribunal makes its determination.
13. The Tenant has asked the Tribunal to consider hardship in this case as his rent is part funded by Universal Credit and currently the rental is over the Local Housing Allowance so any further rent increase means Universal Credit will not cover the increased amount. The Tenant is currently out of work due to health issues and has been diagnosed with sciatica. He states that he is now classified as a disabled person.
14. The Landlord did not respond to the Tenant's application for hardship.
15. On the basis of the evidence supplied by the Tenant, the Tribunal considers that the date in the Landlord's Notice would cause undue hardship and accordingly sets the starting date for the new rent as 24 July 2025.

Decision

16. Therefore, the Tribunal determines the market rent at £585.00 per calendar month with effect from 24 July 2025.

Chairman: V Ward

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

3 Westmaner Court Hall Drive
Beeston Nottingham NG9 5DQ

The Tribunal members were.

V Ward BSc Hons FRICS
N Atherton MRICS Dip Rating

Landlord

Meadow Lane Services Limited

Address

Tenant

David Pearson

1. The rent is:

£585.00

Per

month

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

2. The date the decision takes effect is:

24 July 2025

3. The amount included for services is not
applicable

Per

4. Date assured tenancy commenced

24 January 2014

5. Length of the term or rental period

Monthly

6. Allocation of liability for repairs

Landlord and Tenant Act 1985

7. Furniture provided by landlord or superior landlord

8. Description of premises

Flat with 1 bedroom

Chairman

V Ward

Date of Decision

12 September 2025