

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

Housing Act 1988 Section 14

Address of Premises

Flat 15,
2, Newsom Road,
Huddersfield,
HD4 6NY

The Tribunal members were

Tribunal Judge J. E. Oliver
Tribunal Member A. Hossain

Landlord

Next Move 4U

Address

6 Memorial Road, Worsley,
Salford
M28 3AQ

Tenant

William Stewart

1. The rent is:£

434

Per

Calendar
month

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

2. The date the decision takes effect is:

18th April 2025

3. The amount included for services is not
applicable

Per

4. Date assured tenancy commenced

18th January 2024

5. Length of the term or rental period

Per calendar month

6. Allocation of liability for repairs

Per tenancy agreement

7. Furniture provided by landlord or superior landlord

All floor coverings and a microwave and fridge

8. Description of premises

A small room in a property containing 17 similar rooms. The room has a living accommodation to include space for a double bed, small fitted wardrobes, a sink unit with a fridge and microwave. There is a separate bathroom with a shower, toilet and wash basin.

Chairman

J.E. Oliver

Date of Decision

10th June 2025



FIRST-TIER TRIBUNAL
PROPERTY CHAMBER (RESIDENTIAL
PROPERTY)

Case Reference : MAN/OOCZ/MNR/2025/0726

Property : Flat 15, 2 Newsome Road,
Huddersfield HD4 6NY

Applicant : William Stewart

Representative : In person

Respondent : Next Move 4U

Type of Application : Housing Act 1988 Section 14

Tribunal Members : Tribunal Judge J. E. Oliver
Tribunal Member A. Hossain

Date of Determination : 10th June 2025

Date of Reasons : 18th June 2025

REASONS FOR DECISION

Decision

1. The Tribunal has jurisdiction to deal with the application.
2. The rent payable for Flat 15, 2 Newsome Road, Huddersfield ('the Property') is £434 per calendar month with effect from 18th April 2025.

Application

3. This is an application by William Stewart ("the Applicant") for the determination of the rent payable in respect of the Property, pursuant to Section 14 of the Housing Act 1988 ('the Act').
4. The tenancy of the Property commenced on 18th January 2024.
5. Next Move 4U (the Respondent"), the landlord of the Property served a notice to increase the rent for the Property ("the Notice") from the existing rent of £434 per calendar month to £534 per calendar month. The Notice, dated 20th March 2025, stated the increase was to take effect from 18th April 2025.
6. The Applicant objected to the proposed increase and filed an application with the First-tier Tribunal for the issue to be determined.
7. The Tribunal inspected the Property on 10th June 2025 in the presence of the Applicant.
8. At the conclusion of the inspection, Alan Marsland, a director of the Respondent and who was supervising works at 2 Newsome Road approached the Tribunal and explained the Respondent had had difficulty in making representations. The original correspondence, sent by e-mail , had not arrived. When speaking with the Tribunal they had been advised the filing of any submissions would be out of time. The Tribunal was asked to speak by telephone with another director who further explained the issues she had experienced. However, she did not wish to make any further representations prior to the Tribunal's determination.
9. Mr Marsland advised the Respondent was currently in the process of carrying out works to improve the appearance of the building and individual rooms were being upgraded. There were 9 rooms advertised to let from the 17 in total.

Inspection

9. The Property is a room in a building that has been converted into 17 separate rooms, each having the same accommodation. In the basement there is a communal kitchen and laundry, this having a single washing machine which is some distance from the Property. Neither facilities are adequate for 17 dwellings.
10. The Property itself has room for a double bed. There is a built-in unit that has a sink with storage cupboard, a fridge and a shelf for a small microwave together with a small wardrobe and drawers. The en-suite bathroom has a shower. The Property has double glazing and heating. The Applicant confirmed the rent includes all the utilities except Council Tax.

Determination

11. The Tribunal firstly considered whether it had jurisdiction to deal with the application. The tenancy must be one that falls within section 13 of the Act.

12. The criteria for this are:

- the tenant must have exclusive occupancy of the Property;
- the Property must be a dwelling house;
- the dwelling house must be let as a separate property;
- the tenant must be an individual;
- the tenant must occupy the property as their principal home; all these conditions are met in this case.

13. The following criteria must then be satisfied:

- the tenancy is a periodic tenancy that makes no provision for a rent increase;
- any rent increase is in the prescribed form;
- the rent increase must be 52 weeks after the commencement of the tenancy;
- the rent increase must also be 52 weeks after any previous increase;
- the notice period for the increase must be at least one month;
- the notice must be signed by the landlords;
- the proposed rent must be specified to take effect at the beginning of a new period of the tenancy.

14. The Tribunal considered the criteria to be satisfied and the Notice dated 20th March 2025 to be valid.

15. The Tribunal thereafter considered the appropriate market rent for the property. It noted neither party had submitted any evidence of suitable comparable properties.

16. The Tribunal considered the open market rent of the Property and relying upon its own knowledge and expertise considered the evidence available to it from the advertisements of rental properties in the area. It found the following details of rooms to let:

- Newsome Road -advertised at a reduced rent of £575 pcm
- Manchester Road- advertised at a reduced rent of £600 pcm – all bills included
- 69 Newsome Road- £650 pcm
- Orchard Road - £440 pcm
- Springwood Avenue – advertising 5 flats @ £550 pcm to include Council Tax but excluding gas and electricity.

17. The Tribunal noted the property at Newsome Road was larger accommodation, whilst the 69 Newsome Road was more modern and neither were directly comparable with the Property. The properties on Springwood Avenue had similar accommodation except the Property is smaller. There is no room for an easy chair such that the Applicant or any visitors have nowhere to sit. The kitchen and laundry are both in the basement and some distance

from the Property. The Tribunal determined there should be no increase in the rent from the existing rent of £434 per calendar month.

18. The rent for the Property is therefore in the sum of £434 per calendar month, with effect from 18th April 2025, being the date of the Notice.
19. In making its decision the Tribunal had regard to section 14(7) of the Act and considered the matter of undue hardship. Here, the Tribunal had not increased the rent from the existing rent and, accordingly, section 14(7) of the Act does not apply.