

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

Housing Act 1988 Section 14

Address of Premises

34 Virginia Gardens,
Middlesbrough,
TS5 8BX

The Tribunal members were

J Fraser
J Platt

Landlord

Azhar Fazil

Address

3 Wheatley Close, Middlesbrough, TS5 8JX

Tenant

David & Laurissa Papprill

1. The rent is: £950 Per calendar month (excluding water rates and council tax but including any amounts in para 3)

2. The date the decision takes effect is: 15 August 2025

3. The amount included for services is: Not applicable

4. Date statutory periodic tenancy commenced 15 April 2025

5. Rental period Monthly

6. Allocation of liability for repairs As per s.11 L&T Act 1985

7. Furniture provided by landlord or superior landlord

None.

8. Description of premises

A two storey, purpose-built, semi-detached dwelling house with front and rear gardens, driveway and single garage. The loft has been converted to provide a habitable room accessed via a fixed staircase.

Chairman

J Fraser

Date of Decision

8 October 2025



FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference : MAN/00EC/MNR/2025/0911

Property : 34 Virginia Gardens, Acklam,
Middlesbrough TS5 8BX

Tenants/Applicants : David and Laurissa Papprill

Landlord : Azhar Fazil

Type of Application : Appeal under Housing Act 1988,
Section 13(4)

Tribunal Members : J Fraser FRICS
J Platt FRICS

Date of Determination : 8th October 2025

Date of Decision : 30th December 2025

DECISION

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Determination

1. The rent payable is £950pcm with effect from the 15th August 2025.

Background

2. On the 3rd August 2025, the Applicants referred to the Tribunal an application under section 13(4) of the Housing Act 1988 (the Act) for the determination of a Market Rent.
3. The Applicants, David and Laurissa Papprell, are the tenants at 34 Virginia Gardens, Acklam, Middlesbrough TS5 8BX (the Property). The respondent landlord is Azhar Fazil.
4. The Applicant's occupation of the Property began on an assured shorthold tenancy from 15th July 2019 at a rent of £725pcm, on an unfurnished basis. The most recent tenancy began 15th April 2024, an assured shorthold tenancy for a fixed term of 12 months at a rent of £875pcm.
5. On the 9th July 2025, the landlord served a rent increase notice (the Notice) in accordance with s.13(2) of the Act proposing a new rent of £1,025pcm with effect from 15th August 2025.
6. Both parties made written submissions to the Tribunal. Neither party requested an oral hearing. The Tribunal inspected the Property on the 8th October 2025 and notification of its decision was sent to the Parties on the 7th November 2025. On the 17th November 2025, the Applicants requested written reasons for the Tribunal's decision.

The Law

7. The Tribunal's jurisdiction is detailed in S14 of the Act:

(1) Where, under subsection (4)(a) of section 13 above, a tenant refers to the appropriate tribunal a notice under subsection (2) of that section, the appropriate tribunal shall determine the rent at which, subject to subsections (2) and (4) below, the appropriate tribunal consider that the dwelling-house concerned might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy—

(a) which is a periodic tenancy having the same periods as those of the tenancy to which the notice relates;

(b) which begins at the beginning of the new period specified in the notice;

(c) the terms of which (other than relating to the amount of the rent) are the same as those of the tenancy to which the notice relates; and

(d) in respect of which the same notices, if any, have been given under any of Grounds 1 to 5 of Schedule 2 to this Act, as have been given (or have effect as if given) in relation to the tenancy to which the notice relates.

8. The Tribunal is therefore required to determine *the rent at which... it considers that the dwelling-house concerned might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy which begins on 15 August 2025*. 15 August 2025 being the beginning of the new period specified in the notice i.e. the 'valuation date'.

Decision

9. The only issue for the Tribunal to determine is the Market Rent of the Property on the valuation date.
10. The parties provided submissions that included comments on how repairs have been carried out during the period of the tenancy. The Tribunal's role in this instance is limited to determining the Market Rent, having regard to the condition of the property as at the valuation date.
11. Both parties provided the Tribunal with comparable evidence, albeit it was of limited assistance. The Applicants provided screen shots of the search results from various online property portals, which showed the asking rents for various properties in Middlesbrough. No evidence was provided of the agreed rents and terms for suitably comparable properties in the same locality.
12. The Respondent provided an email from Ashbrooks Estate Agents, suggesting a rent of £1,250 - £1,300pcm. An email from Reeds Rain referencing a property on "Tanya Gardens" and providing a rental range of £995 - £1,500pcm and finally an email from Manners and Harrison suggesting £1,250pcm, but with scope to reduce to £1,200pcm. A screen shot of the asking prices of four rental properties in TS5 was provided showing 3 and 4 bed properties with asking prices of £895 - £1,250pcm. The Tribunal is not assisted by the emails from local letting agents. The emails make no reference to the attributes of the subject property, whether an inspection was carried out and none provide any details of lettings of comparable properties. In regards to the four asking prices, they are of limited assistance to the Tribunal, they do not confirm whether the properties were let and if so on what terms and from what date.
13. The Tribunal inspected the property on the 8th October 2025. The Property comprises a purpose-built semi-detached dwelling house, arranged over two storeys with a habitable room to the loft accessed via a fixed staircase. There is a driveway, front and rear gardens and a single size garage. The property dates to circa 1965/1970.
14. The property was reasonably well presented with kitchen and bathroom fittings in average condition. It provides to the ground floor an entrance hallway, w/c, open plan living/diner and kitchen. To the first floor are three bedrooms and a bathroom/wc. The loft conversion provides a further small room.
15. The Tribunal did not make any specific adjustments for wants of repair or Tenant's improvements.

16. Lacking any detailed comparable transactions from the parties, the Tribunal had regard to its own knowledge of the local rental market. The subject provides accommodation in a popular and established residential location. It has 3 bedrooms, with a potential fourth to the loft room. Having regard generally to the size, condition and location of the property, the Tribunal determined that the Market Rent, at the valuation date, was £950pcm.
17. When requesting written reasons for the Tribunal's decision, the Applicants submit that they have been served a section 21 eviction notice. The Tribunal's only jurisdiction in this matter is to determine the Market Rent. Whilst both parties have provided submissions on their own / the other parties conduct during the term of the tenancy, this is not a matter for the Tribunal's consideration.
18. The Notice set out an effective date of the 15th August 2025. The Applicants did not make any submissions as to undue hardship and the Tribunal therefore determined that the Market Rent of £950pcm was to take effect from the 15th August 2025.

J Fraser, FRICS
30th December 2025