

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

Housing Act 1988 Section 14

Address of Premises

48 Martingale Road
Cheetham Hill
Manchester
M8 0AR

The Tribunal members were

Judge J Stringer
Mr N Swain - Valuer

Landlord

Address

Mr Ali A Sheikh

10 Mayors Road
Hale
Cheshire
WA15 9RP

Tenant

Ahmed Mohamed Elmsallati

1. The rent is: 900.00 Per month (excluding water rates and council tax but including any amounts in paras 3 & 4)

2. The date the decision takes effect is: 07/10/2024

3. The amount included for services is not applicable

Per

4. Date assured tenancy commenced 07/10/2019

5. Rental period

monthly

6. Allocation of liability for repairs

Section 11, Landlord and Tenant Act 1985

7. Furniture provided by landlord or superior landlord

Nil – unfurnished.

8. Description of premises

Third floor, 2-bedroom flat with living room and bathroom.

Chairman

J Stringer

Date of Decision

15.4.25



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

Case Reference : **MAN/00BN/MNR/2024/0616**

Property : **48 Martingale Road
Cheetham Hill
Manchester
M8 0AR**

Applicants : **Ahmed Mohamed Elmsallati**

Respondent : **Ali A Sheikh**

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

Tribunal Members : **Judge J Stringer
Tribunal Member N Swain,**

Date of Decision : **15th April 2025**

DECISION

1. The rent is £900.00 per month. The new rent takes effect from 7th October 2024.

REASONS

Background

1. The Applicant was an assured shorthold tenant of the property between 7th October 2019 and 7th February 2025. It is common ground between the parties that the Applicant surrendered his tenancy on 7th February 2025. The rent from commencement of the tenancy has been £600 per month.
2. By a section 13 HA 1988 notice dated 2nd September 2024 the landlord proposed a new rent of £950 per month, effective from 7th October 2024. The Applicant submitted this application, for determination of the rent, by an application dated 20th September 2024.

Inspection.

3. The Tribunal inspected the property on 15th April 2025. The Respondent was present. The Applicant did not attend.

Hearing

4. Both Applicant and Respondent attended the hearing on 15th April 2025, and represented themselves.

The Law

5. The Tribunal considered and applied section 14 of the Housing Act 1988 (HA 1988).

Relevant evidence and the Tribunal's conclusions with reasons

6. The Tribunal has carefully considered the written evidence of the parties and the oral evidence received at the hearing on 15th April 2025. The Tribunal has also had regard to its findings on the inspection, and has applied its own specialist knowledge of rents in the area to reach a decision.
7. In accordance with the *'Practice Direction from the Senior President of Tribunals: Reasons for decisions'*, this decision refers only to the main issues and evidence in dispute, and how those issues essential to the Tribunal's conclusions have been resolved.
8. The property is a 2-bed flat on the third floor of a purpose-built block of flats; there is a kitchen, large lounge, bathroom and airing cupboard; both bedrooms have fitted wardrobes.
9. In his oral evidence the Applicant informed the Tribunal that he was partially sighted, and this was in part the reason for his seeking rehousing – the flat was on the third floor, without a lift, and he had difficulty seeing the stairs; further, the flooring had had holes in it, where he caught his feet, and there had been damp in the bathroom. The Applicant stated that he had spoken with a neighbour on the first floor of the block, who had informed the Applicant that he was currently paying £700 for his flat; the Applicant stated that he was aware that three other properties in the building were being let for £600.
10. The Respondent has provided with his Reply written evidence, including details of properties relied upon as comparables; the rent for those properties ranged between £925 and £1350 per month; the landlord further relied (at the hearing) upon a currently available property in Martingale Court, advertised for rent at £1110 per month; the Respondent was not aware of whether any of the properties had let, or, if they had, for what rent.
11. The Tribunal found that the property in Martingale Court relied upon by the Respondent was likely to be the most relevant comparable property. However, there were a number of features in its favour (over the Applicant's property):
 - a. The building it is in is more appealing in its design;
 - b. It is on a lower floor, in a block without a lift;
 - c. From the pictures, it appears to be of a higher design specification and in better decorative order.

12. Based on these points, the Tribunal found that a market rent for the property would be £1050 (on the basis that a deduction of £50 per month would be appropriate for the first two points at paragraph 11, above) and that a deduction from this market rent of £150 per month, recognising that improvements would be needed to achieve the best rent (including decorative finish and specifications), was also appropriate.
13. The Applicant did not provide any evidence in his bundle; whilst he did refer, at the hearing, to neighbouring tenants paying much significantly less, without evidence either documentary or by way of witness statements and oral evidence, the Tribunal did not accept that as reliable evidence of comparable rents.

J Stringer

Tribunal Judge

15th April 2025