



FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)

Case Reference	:	MAN/OOEY/MNR/2025/0692
Property	:	82 Erdington Road, Blackpool, FY1 5EH
Tenants	:	Stacey Whitfield & Wayne Richards
Landlord	:	Elliott Booth
Type of Application	:	s13 Housing Act 1988
Tribunal Members	:	Mr S Wanderer MRICS Mr J Gallagher MRICS
Date of Decision	:	6 May 2025

DECISION

Decision

1. By a decision dated 6 May 2025, the Tribunal determined, in accordance with section 14 of the Housing Act 1988, that the open market rent for the Property is £740.00 per month.

Background

2. By a notice dated 24 February 2025, ("the Notice"), the Landlord proposed a new rent of £800.00 per month to take effect from 19 April 2025.

3. By an application dated 24 February 2025, the Tenant referred the Notice to the Tribunal.

Inspection

4. The Tribunal inspected the Property on 6 May 2025.
5. The Property is a two-storey mid-terrace house with a rear yard. The accommodation comprises: G/F: through reception room, kitchen; 1/F: bathroom, 3 x bedrooms. There is double-glazing and gas central heating.
6. The Property is let unfurnished with the exception of the gas hob and extractor which are provided by the landlord.
7. Upon inspection, the Tribunal noted several replastered areas awaiting repainting and double glazing unit failure. The extractor in the kitchen is reported not to be working, although passive ventilation is provided via wall vents. In the bathroom, ventilation is reported to be limited (the vent not passing through the external wall).

Evidence

8. Limited submissions were made by the parties and included rental listings ranging between £800 and £850 PCM, all of which appeared to refer to a single comparable property on Erdington Road (the Tribunal assumes the asking rent for this comparable was reduced over time).

The Law

9. The Tribunal must first determine that the Landlord's notice under section 13(2) satisfied the requirements of that section and was validly served.
10. The Housing Act 1988, section 14 requires the Tribunal to determine the rent at which it considered that the subject property might reasonably be expected to be let on the open market by a willing landlord under an assured tenancy.
11. In so doing the Tribunal, is required by section 14(1), to ignore the effect on the rental value of the property of any relevant tenant's improvements as defined in section 14(2) of that Act.

12. Section 14(4) provides that for the purposes of section 14 "rent" includes amongst other things any sums payable to the landlord by the tenant in respect of council tax.
13. Section 14(4) provides that for the purposes of section 14 "rent" does not include a "service charge" within the meaning of section 18 Landlord and Tenant Act 1985 (i.e. where in accordance with the terms of the tenancy or other agreement a service charge payable by the tenant is variable from time to time according to changes in the relevant costs). However it does include a "fixed" service charge.

Tribunal's Deliberations

14. The Tribunal determined the Notice to be valid in accordance with s13(2).
15. Relying on its experience and knowledge, the Tribunal determined that the open market rent for a comparable property to the Property in good condition was £750.00 per month.
16. The Tribunal determined that deductions totalling £10 per month were appropriate to reflect minor items of disrepair.
17. The Tribunal therefore determined that the open market rent for the Property in accordance with the statutory basis is £740.00 per month.
19. This rent will take effect from 19 April 2025 being the date stipulated in the Notice.

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

Housing Act 1988 Section 14

Address of Premises

82 Erdington Road, Blackpool, FY1 5EH

The Tribunal members were

Mr S Wanderer
Mr J Gallagher

Landlord

Elliott Booth

Address

44-46 Highfield Road, Blackpool, FY4 2JA

Tenant

Stacey Whitfield & Wayne Richards

1. The rent is: £740 Per Month (excluding water rates and council tax but including any amounts in paras 3 & 4)

2. The date the decision takes effect is: 19 April 2025

3. The amount included for services is not applicable

Per

4. Date periodic/statutory periodic assured tenancy commenced

19 May 2023

5. Rental period

Monthly

6. Allocation of liability for repairs

As per tenancy agreement

7. Furniture provided by landlord or superior landlord

N/A

8. Description of premises

Mid-terrace house
Kitchen, Through lounge, 3 Bedrooms, Bathroom
Rear Yard

Chairman

S Wanderer

Date of Decision

6 May 2025