

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/00CN/MNR/2025/0757
Property	56 Smeaton Avenue, Smethwick, Birmingham, B66 2EJ
Tenant	Antonio Rahman and Asiyah Rahman
Tenant's Representative	None
Landlord	SIGma PRS Investments IV Limited
Landlord's Address	3-4 Regan Way, Chetwynd Business Park, Nottingham, NG9 6RZ
Landlord's Representative	Simple Life Homes
Date of Application	27 June 2025
Type of Application	Determination of a Market Rent under sections 13 & 14 of the Housing Act 1988
Tribunal Members	I D Humphries B.Sc.(Est.Man.) FRICS N Atherton MRICS
Date of Decision	4 March 2026
Rent Determined	£1,225.00 per calendar month
Date the new rent takes effect	1 March 2026

REASONS FOR THE DECISION

Background

1. On 25 April 2025 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,225.00 per calendar month (pcm) in place of the existing rent of £1,150.00 pcm to take effect from 30 June 2025.
2. On 27 June 2025, under Section 13(4)(a) of the Housing Act 1988, the Tenant referred the Landlord's Notice proposing a new rent to the Tribunal for determination of a market rent.
3. The assured tenancy commenced on 30 June 2024. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant.

4. As per Section 11 of the Landlord and Tenant Act 1985.

Service Charges of furniture provided by Landlord (other than carpets and curtain and white goods specified below) and the costs relating to the same.

5. Not applicable.

Liability for Council Tax

6. The Tenant is responsible for the payment of Council Tax in respect of the property. The rent determined is exclusive of Council Tax.

Any other terms of the tenancy taken into consideration in determining the rent.

7. No other significant terms affect the rent.

Inspection/ Hearing

8. Neither party requested an oral hearing. The Tribunal has considered this case on the basis of the papers provided by the parties and its own knowledge and specialist expertise.

The Property

9. The Tribunal did not inspect the property. It relied on information provided by the parties and the image on Google Streetview in reaching its decision.
10. The property is a four bedroom semi-detached house on a modern housing estate in Smethwick, to the west of Birmingham city centre and within easy driving range of Junction 1 of the M5 at West Bromwich. The house has a lawn and driveway providing off-road parking to the front and appears well maintained from the image on Google Streetview.

Evidence

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

The Tenant

12. The Tenant made the following comments:
 - a) the proposed rate of rent increase of more than 6.5% was higher than the average for the West Midlands of 2.7%;
 - b) some of the rents of other properties quoted by the Landlord were for detached houses, whereas the subject property is semi-detached and should be valued accordingly;
 - c) the Landlord had not responded to all the Tenant's requests and the Tenant hoped this would not be used against him;
 - d) advertised asking rents were not always achieved in the market and
 - e) the tenant referred to 'mould' and that the kitchen extractor fan had not been working, but no evidence was provided in confirmation.
13. In terms of rental evidence, the Tenant was unable to find any comparable properties to let within a half mile radius.

The Landlord

14. The following comparables were provided by the Landlord:
 - a) summary details of 29 houses to let on the 'Ascend' website in Smethwick and surrounding area;
 - b) a list of rents paid for six other houses in the estate, two of which were semi-detached and four detached ranging from £1,225 to £1,295 per calendar month.

Determination and Valuation

15. The Tribunal carefully considered the evidence provided and particularly the rents of two other semi-detached houses in Smeaton Avenue referred to by the landlord at £1,225 pcm, the same as that proposed for the subject house. However, the Tribunal were not provided with the house numbers and no evidence was offered by the Landlord in confirmation.
16. Relying on its own expert general knowledge of rental values in the area and the comparables provided by the parties, the Tribunal considers the market rental of the subject property, modernised and in good order, would be in the order of £1,225.00 pcm. This is the rent we would expect the property to let for in the open market if it were in the same general condition as the comparable properties with white goods and curtains provided by the landlord.
17. The Tribunal made no adjustments as there was no evidence that the Tenants had carried out any improvements at their own expense and although the Tenant's Submission referred to 'mould' in the application form, no evidence was offered by way of confirmation.

Undue Hardship

18. The new rent takes effect from the date specified in the Landlord's Notice of Increase unless it would cause undue hardship to the tenant. In cases of undue hardship, the Tribunal has discretion to fix a later starting date up to the date the Tribunal makes its determination.
19. The Tenant has asked the Tribunal to fix a later starting date in this case. He says he will otherwise be caused undue hardship because the rent is funded by Universal Credit.
20. The Landlord did not respond to the Tenant's application for postponement on grounds of hardship.
21. As a result of our decision, the rent will increase to £1,225.00 per month. The date specified in the landlord's notice was 30 June 2025. 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 1 March 2026.

Decision

22. Therefore, the Tribunal determines the market rent at £1,225.00 per calendar month with effect from 1 March 2026.

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 this appeal.