

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/47UE/MNR/2025/0630
Property	9 Merchants Court 30 Diglis Road Worcester WR5 3BW
Tenant	Timothy Bird
Tenant's Representative	n/a
Landlord	Platform Housing Limited
Landlord's Address	1700 Solihull Parkway, Birmingham Business Park, Solihull, B37 7YD
Landlord's Representative	n/a
Date of Application	28 February 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Judge Muninder Gandham - Chair Wyn Jones FRICS
Date of Decision	27 February 2026
Rent Determined	£770.00 per calendar month
Date the new rent takes effect	27 February 2026

REASONS FOR THE DECISION

Background

1. On 24 February 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £773.31 per calendar month(pcm) in place of the existing rent of £752.98 pcm to take effect from 1 April 2025.
2. On 28 February 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 16 July 2018 for a term of six months. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant.

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

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

5. n/a

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. n/a

Inspection/Hearing

8. Neither party requested an oral hearing, and the Tribunal did not inspect the Property. 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 Property is a ground floor flat forming offering the following accommodation:

Living room with combined kitchenette, one bedroom and one bathroom.

Outside: Off-street parking.

The Property benefits from central heating and double glazing.

The Property is situated in Diglis in Worcester, within close proximity of amenities, with Worcester City Centre approximately 1/2 mile to the north.

Evidence

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

The Tenant.

11. The Tenant made the following comments:

- a) The Tenant confirmed that they had provided the curtains but that the Landlord had provided the carpets and white goods.
- b) He stated that the flat was very small.

12. In terms of rental evidence, the Tenant provided several comparables. The most expensive to rent was a one-bedroom apartment on Autumn Terrace, with a kitchenette, previously advertised to let at £695.00 pcm; the least expensive was a one-bedroom studio on Middle Street, previously advertised to let at £550.00 pcm.

The Landlord

13. The Landlord also provided several comparables. The most expensive to rent was a one-bedroom apartment in Battenhall, with an open plan kitchen, w.c. and shower room, previously advertised to let at £995.00 pcm; however, it was inclusive of bills. The least expensive was a one-bedroom apartment on St Peter Street, with a balcony and secured parking, previously advertised to let at £850.00 pcm.

Determination and Valuation

14. The Tribunal considered the comparables provided by both parties were helpful, other than the one in Battenhall (provided by the Landlord), as it was inclusive of bills. It was noted that the comparables provided by the Tenant were not located in Diglis and two were studio flats, and that those provided by the Landlord appeared to be apartments in relatively new developments.
15. Relying on its own expert, general knowledge of rental values in the area, the Tribunal considered that the market rental of the subject Property modernised and in good order would be in the order of £780.00 pcm. This was the rent the Tribunal would expect the Property to let for in the open market if it was in the same general condition as the comparable properties, including having white goods, carpets and curtains provided by the landlord.
16. From this level of rent, the Tribunal made adjustments in relation to the following:
 - a) Fittings provided by the Tenant and for which they should not pay: curtains.

The full valuation is shown below:

Starting Rent	£780.00 pcm
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Less

a) Items given under a) above	£10.00
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Market rent	£770.00 pcm
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Undue hardship

17. The new rent takes effect from the date specified in the Landlord's Notice of Increase unless that would cause undue hardship to the tenant. In cases of undue hardship, the Tribunal has a discretion to fix a later starting date up to the date a Tribunal makes its determination.
18. In a supporting statement provided by the Tenant, he stated that he was a single father, that he worked two jobs, that he had a small side business and that he was also studying. He referred to suffering from stress and struggling with finances due to increases in rent, the cost of living and stagnant wages. Conversely, he stated that the Landlord was doing well financially. He asked for the rent to be reverted to either his original rent of £597.40, or a figure close to that amount.

19. Although the Tribunal could not take any of these factors into account when assessing the market rent, it could take the Tenant's financial difficulties into account when assessing whether there would be any undue hardship and if the new rent should start at a later date.
20. As a result of the Tribunal's decision the rent will increase by £17.02 a month. The date specified in the Landlord's notice was 1 April 2025. On the basis of the evidence supplied by the Tenant, the Tribunal considered that for the increase to take effect from the date in the Landlord's Notice would cause undue hardship and, accordingly, sets the starting date for the new rent as 27 February 2026.

Decision

21. The Tribunal determines the market rent at £770.00 per calendar month with effect from 27 February 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 (Rule 52(2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013) stating the grounds upon which it is intended to rely in the appeal.