

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/00CN/MDR/2025/0003
Property	105 Denville Crescent, Birmingham, B9 5TS
Tenant	Habiibo Abdi
Tenant's Representative	n/a
Landlord	Haseeb Ahmad Hussain
Landlord's Address	107 Denville Crescent, Birmingham, B9 5TS
Landlord's Representative	I Move
Date of Application	17 April 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	£1,200.00 per calendar month
Date the new rent takes effect	27 February 2026

REASONS FOR THE DECISION

Background

1. On 13 March 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,100.00 per calendar month (pcm) in place of the existing rent of £800.00 pcm to take effect from 20 April 2025.
2. On 17 April 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 18 March 2025 for a term of 12 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 three-bedroom end terraced house offering the following accommodation:

Living room, kitchen, three bedrooms and one bathroom.

Outside: Private garden and off-street parking.

The Property benefits from central heating and double glazing.

The Property is situated in Little Bromwich, near Bordsley Green in Birmingham, within close proximity of local amenities.

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 Property was in a good condition generally, but that a broken shower had been reported to the Landlord two years prior and had not been fixed.
- b) One bedroom was a good size, one was a normal size and one was small.
- c) The Tenant had provided the carpets and curtains.
- d) That the Landlord used the private driveway, as he lived next door.

The Landlord

12. The Landlord's Representative made the following comments on behalf of the Landlord and provided dimensions and photographs of the rooms:

- a) The lounge had wooden flooring, the kitchen had a tiled floor and the bedrooms were carpeted. All carpets and curtains were provided by the Landlord.
- b) The kitchen units were only five years old, and the Landlord had provided a hob, oven and dishwasher.

- c) There is off-street parking allowing for two cars on the drive.
 - d) There is no disrepair at the Property, and it is currently being let at less than the market rent.
13. The Landlord provided photographs of the Property. The type of flooring appeared to be as per the Landlord's comments and the kitchen appeared fairly modern.
 14. The Landlord also provided comparable evidence of similar properties to let in the area. The most expensive to rent was a three-bedroom mid-terrace house with three bedrooms and one bathroom on Fifth Avenue with no visible off-street parking, previously advertised to let at £1,600.00 pcm. The least expensive were three three-bedroom houses – one was a semi-detached house on Bordesley Green East, one was a three-bedroom, two-bathroom end of terrace house on Belchers Lane and one was a three-bedroom, one-bathroom terraced house on Doncaster Way – all three were previously advertised to let at £1,200.00 pcm.

Determination and Valuation

15. The Tribunal considered the comparables provided by the Landlord were relevant to this matter.
16. Relying on its own expert, general knowledge of rental values in the area, and noting that the kitchen appeared modern and the rooms were of a fair size for the type of house, the Tribunal considered that the market rental of the subject Property would be in the order of £1,200.00 pcm. This was the rent the Tribunal would expect the Property to let for in the open market.
17. The Tribunal did not consider any deduction was required for the broken shower, which was disputed by the Landlord in any event. In relation to the parking, although off-street parking would be an advantage, the Tribunal found that the comparables indicated that this, again, did not alter the market rent to any great effect.

Market rent

£1,200.00 pcm

Undue hardship

18. 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.

19. In the Hardship Form the Tenant indicated that the rent was paid in full by universal credit, that she had four children and was unemployed due to an illness.
20. As a result of the Tribunal's decision the rent will increase by £400.00 a month. The date specified in the Landlord's notice was 20 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 £1,200.00 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.