

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/00CN/MNR/2025/0746
Property	83 Curbar Road Great Barr Birmingham B42 2AT
Tenant	Michelle Nathan
Tenant's Representative	
Landlord	Sunil Ghadiali
Landlord's Address	
Landlord's Representative	
Date of Application	17th June 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr G S Freckelton FRICS (Chairman) Mrs J Rossiter MRICS
Date of Decision	12th March 2026
Rent Determined	£1,100.00 per calendar month
Date the new rent takes effect	12th March 2026

REASONS FOR THE DECISION

Background

1. On 30th May 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,200.00 per calendar month (pcm) in place of the existing rent of £750.00 pcm to take effect from 1st August 2025.
2. On 17th 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 1st August 2021 for a term of twelve 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. None.

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. None.

Inspection/Hearing

8. Neither party requested an inspection or 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. Based on the papers submitted to it the Tribunal understands that the property is a terraced house, offering the following accommodation:

Ground Floor – Two living rooms and kitchen.

First Floor – Three bedrooms and bathroom. A loft ladder from the landing leads to a boarded attic space which also houses the boiler.

Outside: Garden.

The Property benefits from central heating and double glazing.

The Property is situated in an established residential area within the Birmingham urban conurbation.

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 kitchen window was faulty.
- b) There was mould to the ceiling of bedrooms 1 and 2. Mould was also evident in the bathroom. It had been cleaned several times but recurred.
- c) Carpets and curtains had been provided by the Landlord. The Tenant had provided the white goods.
- d) The tenant had carried out repairs and improvements to the property including:
 - 1) Replaced fence panels.
 - 2) Replaced the bathroom light switch.
 - 3) Repaired a leak to the W.C.
 - 4) Regularly purchased and applied mould cleaner.
- e) The gas fire has not worked for over 10 years.
- f) The proposed increase of £450.00 pcm would have a significant impact on her.

12. In terms of rental evidence, the Tenant had provided details as follows
 - a) Coronation Road, Great Barr – a three-bedroom semi-detached house offered to rent at £1,095.00 pcm.
 - b) Felstone Road, Birmingham – a modern three-bedroom town house offered to rent at £1,100.00 pcm.
 - c) Rocky Lane, Birmingham – a three-bedroom semi-detached house offered to rent at £1,150 pcm.
 - d) Turnberry Road, Birmingham and Watt Road, Birmingham – both semi-detached houses offered to rent at £1,200.00 and £1,100.00 pcm respectively.

The Landlord

13. The landlord submitted that the property had been extended to the rear and that although the gas fire was not working it had been disconnected. The fan and window to the bathroom were both working.
14. The following comparables were provided by the Landlord:
 - a) Grindleford Road, Birmingham – a three-bedroom town house offered to rent at £1,200.00pcm.
 - b) Beeches Road, Birmingham – a three-bedroom end-terraced house offered to rent at £1,200.00 pcm.
 - c) Wingfield Road, Great Barr – a three-bedroom semi-detached house offered to rent at £1.175.00 pcm.
 - d) Scarsdale Road, Great Barr – a three-bedroom semi-detached house offered to rent at £1,250.00 pcm.

Determination and Valuation

15. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided by the Landlord, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £1,150.00 per calendar month. This is the rent we 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 and curtains provided by the landlord.

16. From this level of rent, the Tribunal has made adjustments in relation to the following:

- a) Improvements and fittings provided by the Tenant and for which they should not pay: fence panels, bathroom light switch and white goods.

The full valuation is shown below:

Starting Rent £1,150.00 pcm

Less

- a) Items given under a) above £50.00

Market rent £1,100.00 pcm

Undue Hardship

17. Although the tenant has not specifically referred to 'Hardship', she has, in her submissions stated that the proposed increase will 'impact her greatly'. The Tribunal therefore accepts this as a request to consider hardship.

18. The Landlord has not made any submission on this issue.

19. As a result of our decision the rent will increase by £350.00 pcm. The date specified in the Landlord's Notice was 1st August 2025. On the basis of the evidence supplied by the Tenant, the Tribunal considers 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 12th March 2026.

Decision

20. Therefore, the Tribunal determines the market rent at £1,100.00 per calendar month with effect from 12th 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 the appeal.