



**FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case Reference	:	BIR/00CQ/MNR/2025/0683
Property	:	13 Boiler House, Electric Wharf, Coventry, CV1 4JU
Applicant	:	Trevor Boylan
Respondent	:	Gordon James
Type of Application	:	Appeal against a Notice proposing a new rent under an Assured Periodic Tenancy under section 13(4) of the Housing Act 1988
Tribunal Members	:	I.D. Humphries B.Sc.(Est.Man.) FRICS Judge David R. Salter
Date and Venue of Hearing	:	9 September 2025 (striking out)
Date of Decision	:	14 January 2026

REASONS FOR DECISION

1 The market rent is determined at £700.00 (Seven Hundred Pounds) per calendar month from 11 April 2025.

REASONS

Introduction

- 2 The tenant, Trevor Boylan, holds a monthly assured tenancy of 13 Boiler House, Electric Wharf, Coventry, CV1 4JU in Coventry city centre. The tenancy commenced on 11 June 2018.
- 3 By Notice dated 24 February 2025, the Landlord served notice of increase under section 13(2) of The Housing Act 1988 proposing a rent increase from £650 pcm to £850 pcm to take effect on 11 April 2025. The rent did not include any Council Tax, water rates or service charges.
- 4 In an application dated 2 April 2025, the Tenant applied for the rent to be determined by the First-tier Tribunal (Property Chamber), but this application was dated stamped as received by the Tribunal on 26 April 2025, and, thus, beyond the relevant date of 11 April 2025.
- 5 As a consequence, a hearing before the Regional Surveyor, Vernon Ward, and Judge David R Salter was held on 9 September 2025 to consider whether the Tenant's application should be struck out under Rule 9(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013. The hearing was attended by the Tenant; the Landlord did not attend nor was he represented.
- 6 At the hearing, the Tenant submitted that his application was made in time in that it was received by the Tribunal before 26 April 2025, and, importantly, before 11 April 2025.
- 7 Subsequent to the hearing, the Tenant provided evidence to the Tribunal in support of his submission that his application was made in time.
- 8 Such evidence was a screenshot of his bank account that gave details of a £5.00 payment made on 8 April 2025 to SA Agent whom the Tenant described as an 'Official Post Office Partner'.
- 9 In light of the above, this Tribunal was constituted to determine the market rent for the Property in accordance with section 14 of the Housing Act 1988.
- 10 This Tribunal has considered the case based on its knowledge, experience and, in the absence of any evidence submitted by the parties as to rents paid for comparable properties, online research into rents paid for comparable properties.

The Law

11 Section 14 of The Housing Act 1988 provides:

'(1) Where, under subsection (4)(a) of section 13 above, a tenant refers to a rent assessment committee a notice under subsection (2) of that section, the committee shall determine the rent at which, subject to subsections (2) and (4) below, the committee consider that the dwelling-house concerned might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy -

- (a) *which is a periodic tenancy having the same periods as those of the tenancy to which the notice relates;*
- (b) *which begins at the beginning of the new period specified in the notice;*
- (c) *the terms of which (other than relating to the amount of the rent) are the same as those of the tenancy to which the notice relates;...'*

'(2) In making a determination under this section, there shall be disregarded -

- (a) *any effect on the rent attributable to the granting of a tenancy to a sitting tenant;*
- (b) *any increase in the value of the dwelling-house attributable to a relevant improvement carried out by a person who at the time it was carried out was the tenant, if the improvement-*
 - (i) *was carried out otherwise than in pursuance of an obligation to the immediate landlord ...'*

Facts Found

- 12 The Tribunal has not inspected the property and relies on the limited evidence provided by the parties and online research.
- 13 The property is in a residential development near the canal in Coventry city centre. The Tenant describes the property as having a living room with integral kitchen and partition separating the living room to form a bedroom, but the bedroom area has no additional heating or natural light. In his opinion it is a bedsit.
- 14 The property was let with a table, two chairs, 2 wardrobes and bed included in the tenancy.

Evidence

- 15 The Tenant
The Tenant's application form to the Tribunal advised he had been told by the Landlord that he was responsible for updating the shower, although the existing shower was 20 years old, and that he had bought a heater for the bedroom area as none had been provided. He also considered it to be a 'bedsit', rather than flat.
- 16 The Landlord's Submission
The Landlord made no Submissions.

Decision

- 17 Although the parties had not provided any evidence of market rents paid for this type of property, the Tribunal finds from its own knowledge and experience that the market rent would be £700 pcm.
- 18 Accordingly, the Tribunal determines the rent under section 14 of The Housing Act 1988 at £700.00 (Seven Hundred pounds) pcm with effect from 11 April 2025.

I.D. Humphries B.Sc.(Est.Man.) FRICS
Chairman

Appeal

If either party is dissatisfied with this decision an application may be made to the Upper Tribunal, Property Chamber (Residential Property) on a point of law arising from this Decision only. Prior to making such an appeal, an application must be made, in writing, to the Tribunal for permission to appeal. Any such application must be received 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 on which it is intended to rely in the appeal.