

	<b>FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)</b>
<b>Case Reference</b>	<b>MAN/00BL/MNR/2025/0970</b>
<b>Property</b>	<b>Flat 5, 583 Chorley Old Road, Bolton, BL1 6BL</b>
<b>Tenant</b>	<b>Mr John Partington</b>
<b>Tenant's Representative</b>	<b>N/A</b>
<b>Landlord</b>	<b>Mr Chris Ball and Mrs J. Ball</b>
<b>Landlord's Address</b>	<b>C/O Chris Ball Sales &amp; Lettings Ltd, 651 Chorley Old Road, Bolton, BL1 6BL</b>
<b>Landlord's Representative</b>	<b>Chris Ball Sales &amp; Lettings Ltd</b>
<b>Date of Application</b>	<b>25 September 2025</b>
<b>Type of Application</b>	<b>Determination of a Market Rent sections 13 &amp; 14 of the Housing Act 1988</b>
<b>Tribunal Members</b>	<b>Judge S. Westby Mr J. Faulkner FRICS</b>
<b>Date of Decision</b>	<b>16 April 2026</b>
<b>Rent Determined</b>	<b>£445.00 per calendar month</b>
<b>Date the new rent takes effect</b>	<b>27 October 2025</b>

## **REASONS FOR THE DECISION**

### **Background**

1. On 18 September 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £475.00 per calendar month (pcm) in place of the existing rent of £425.00 pcm to take effect from 27 October 2025.
2. On 25 September 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 27 October 2015 for a term of 6 months and is now a periodic tenancy. 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. There are no service charges payable under the tenancy.
6. The Property is let unfurnished and does not include white goods, curtains or carpet to the bedroom.

### **Liability for Council Tax**

7. 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.**

8. The Tribunal did not consider that any other terms of the tenancy were required to be taken into consideration in determining the rent.

## **Inspection/Hearing**

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

## **The Property**

10. The Tribunal carried out an inspection of the Property on 16 April 2026 in the presence of the Tenant. The Landlord was notified of the inspection but did not attend.
11. The Property is a ground floor flat in a two-storey semi-detached former house built around 1910 and which has since been converted into five flats. There are gardens to the front and rear and there are two communal car spaces to the rear with access from Back Chorley Old Road. The roof is double pitched with a slate covering and the walls are of cavity brick. Windows are uPVC double glazed. There is a communal gas-fired central heating system, but the Tenant has no control over this. The accommodation comprises:

Living room with small kitchen off, bedroom and shower-room.

No damp was visible in the bedroom at the time of the Tribunal's inspection but there was some evidence of black mould in the shower-room.

## **Evidence**

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

The Tenant.

13. The Tenant made the following comments:
  - a) The Tenant complains of persistent damp in the bedroom which he has had to treat, at his own expense, with damp-proof paint. He also complains of black mould being present and having to be cleaned off regularly.
  - b) The Tenant feels that it is unreasonable for the rent to be increased whilst the persistent damp remains unresolved and considers that the rent should remain at its current level.
14. The Tenant has not provided any evidence in respect of comparable rents in the area.

## The Landlord

15. The following comparables were provided by the Landlord (all of which are understood to be one-bedroomed flats:
  - a) Flat 3, 583 Chorley Old Road (flat immediately above the Property). The rent for this property was recently increased to £475.00 pcm following service of a s.13 notice.
  - b) Two other flats at 583 Chorley Old Road have also had their rent increased by virtue of the service of a s.13 notice to £500.00 pcm on 26 March 2025 and 19 June 2025, although the Landlord acknowledges that these flats are 'slightly larger'.
  - c) Flat 4, 583 Chorley Old Road was let on 12 August 2025 at a rent of £595.00 pcm. A copy of the Assured Shorthold Tenancy agreement was provided by the Landlord.
  - d) 633 Chorley Old Road. The rent for this property was increased to £500.00 pcm on 25 January 2025 following service of a s.13 notice.

## Determination and Valuation

16. The Tribunal considers that only the Flat 4, 583 Chorley Old Road comparable provided by the Landlord is relevant to this matter, although the Tribunal is unaware of the size and condition of the flat. The other comparables have had their rent increased by way of a s.13 notice and so are not open market rents.
17. Relying on its own expert and general knowledge of rental values in the area, and the comparable 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 £500.00pcm.
18. From this level of rent, the Tribunal has made adjustments in relation to the following:
  - a) Furnishings provided by the Tenant including white goods, curtains and carpet to the bedroom.
  - b) No mechanical ventilation to the shower-room.

The full valuation is shown below:

Starting Rent £500.00 pcm

Less

- |                               |        |
|-------------------------------|--------|
| a) Items given under a) above | £50.00 |
| b) Items given under b) above | £5.00  |

£55.00

**Market rent**

**£445.00 pcm**

**Undue hardship**

12. 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.
13. The Tenant has not made any submissions that the increase in rent would cause undue hardship to him and, therefore, there is no need for the Tribunal to consider this further.

**Decision**

14. Therefore, the Tribunal determines the market rent at £455.00 per calendar month with effect from 27 October 2025.

**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.