

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/OOCW/MNR/2025/0741
Property	41 Norman Davies Garden Wolverhampton WV14 OBD
Tenant	Kele Norton
Tenant's Representative	
Landlord	The PRS REIT (SWII) Investments LLP
Landlord's Address	c/o Stafford Court 145 Washway Road Sale Manchester M33 7PE
Landlord's Representative	Simple Life Homes
Date of Application	5th June 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Graham Freckelton FRICS (Chairman) Deputy District Judge Naomi Candlin
Date of Decision	22nd April 2026
Rent Determined	£925.00 per calendar month
Date the new rent takes effect	1st August 2025

REASONS FOR THE DECISION

Background

1. On 4th June 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £950.00 per calendar month (pcm) in place of the existing rent of £875.00 pcm to take effect from 1st August 2025.
2. On 5th 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 in June 2022. 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 curtains 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 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 information provided to it the Tribunal understands that the Property is a first floor flat in a three-storey block offering the following accommodation:

Lounge, Kitchen, two bedrooms, one having an en-suite and a family bathroom.

Outside there is off street parking.

The Property is understood to have central heating and double glazing. Carpets, curtains and white goods are provided by the Landlord.

The Property is situated in a modern residential area with mixed type properties nearby.

Evidence

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

The Tenant.

The Tenant made the following comments:

- a) Common parts were scruffy and smelt of local drug use.
- b) Nearby apartments were let at lower rents.
- c) Comparables were provided. It was noted by the Tribunal that flats quoted at £825.00-£835.00 had only one bathroom.
- d) Comparables of two flats each having two bathrooms, one on Jeremiah Road was offered at £925.00 pcm and another on Willenhall Road was offered at £900.00 pcm.

The Landlord

The Landlord submitted:

- a) Comparables of numerous flats at rentals ranging from £995.00-£1025.00 pcm.

Determination and Valuation

11. The Tribunal considered the comparables provided by the Landlord and Tenant. This property is situated in an attractive residential area.

12. 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 would be in the order of £925.00 pcm. There is no evidence provided by the parties of any significant disrepair (except possibly to common areas). The Tribunal has not therefore made any further deduction to reflect disrepair to the property.

Undue hardship

13. The Tenant has completed the Hardship form but states that the rent of £875.00 is paid by Housing Benefit or Universal Credit. The Form also states that the proposed increase causes undue hardship because the rent started at £750.00 pcm and that the Tenant thinks the Landlord will be looking to charge £1025.00 pcm in the coming year.
14. In this case, the Tribunal has assessed the rent at a lower figure than the Landlord proposed. It also appears that the rent is largely paid by Housing Benefit or Universal Credit. Therefore, the Tribunal determines that there is no evidence that the tenant will suffer undue hardship in this case. The rent increase is therefore confirmed from 1st August 2025, being the date of the Landlord's Notice.

Decision

Therefore, the Tribunal determines the market rent at £925.00 per calendar month with effect from 1st August 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.