

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/OOCN/MNR/2025/0783
Property	7 Maybank Birmingham B9 5FF
Tenant	Rawda Abdelgadir
Tenant's Representative	None
Landlord	Shifa Sultana
Landlord's Address	95 Church Hill Road Solihull B91 3JH
Landlord's Representative	None
Date of Application	5 September 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Nicholas Wint FRICS – Chair Ian Humphries FRICS
Date of Decision	11 February 2026
Rent Determined	£995.00 per calendar month
Date the new rent takes effect	11 February 2026

REASONS FOR THE DECISION

Background

1. On 21 August 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £995 per calendar month(pcm) in place of the existing rent of £670 pcm to take effect from 21 September 2025.
2. On 5 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 21 March 2011 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.

Liability for Council Tax

5. The Tenant is responsible for the payment of Council Tax in respect of the Property.
6. The rent determined is exclusive of Council Tax.

Inspection/Hearing

7. An oral hearing was held on 11 February 2026 at the Tribunal's offices in Birmingham.
8. An inspection was not carried out by the Tribunal.
9. The Tribunal considered this case on the basis of the hearing, the papers provided by the parties and its own knowledge and specialist expertise.

The Property

10. The Property is a semi-detached house forming part of a modern development close to the Heartlands Hospital and provides the following accommodation:

Internal: Living room, kitchen, bathroom, two bedrooms.

Outside: Garage with off street parking and a garden.

The Property benefits from central heating and double glazing and the Landlord provided all the carpets and curtains and white goods. The Landlord also provided some furnishings in the Property.

Evidence

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

The Tenant

12. Although the Tenant submitted a form it only set out that the property had two floors and requested a hearing. No other details or information were included.

The Landlord

13. The Landlord advised the Property was in a good condition when originally let to the Tenant.
14. The Landlord submitted various photographs of the Property and details of the following comparables in support of their valuation:
 - a) Lily Road South Yardley – Mid terrace 2 bed and 1 bath property at asking rent of £950pcm.
 - b) Glovers Road Birmingham – Mid terrace 2 bed and 1 bath property at asking rent of £995pcm
 - c) Madeley Road Sparkbrook – Terraced 2 bed and 1 bath property at asking rent of £995pcm
 - d) Bordesley Green Birmingham – Terraced 2 bed and 1 bath property at asking rent of £1,100pcm
15. In addition, the Landlord submitted an email dated 1 March 2025 from letting agent Burchell Edwards suggesting they would be willing to market the property at £1050pcm.

Hearing

16. At the hearing attended by both parties, the Tenant assisted by an interpreter, informed the Tribunal the garage was not part of the tenancy agreement. The Tenant also informed the Tribunal that the property was in good order with no outstanding repairs and had a good relationship with the Landlord.

17. The Tenant did not refer to any comparable evidence. The Tribunal asked the Tenant what rent she was prepared to pay she advised between £700 and £750pcm.
18. The Tenant advised the Tribunal she had financial difficulties as she had recently been made unemployed and therefore could not afford the rent.
19. The Landlord referred the Tribunal to the reply form and comparable evidence submitted. In her opinion the going rate for the Property was between £1100 and £1300pcm and therefore her proposal was reasonable.

Determination and Valuation

20. The Tribunal considers the comparable evidence provided by the Landlord was helpful and relevant to this matter.
21. 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 £995pcm.
22. 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.
23. The Tribunal found that no adjustments were necessary for the condition of the Property nor any adjustments for any improvements provided by the Tenant compared to the evidence.
24. The Tribunals full valuation is shown below:

Starting Rent	<u>£995.00</u> pcm
<i>Less Adjustments for condition and improvements</i>	<u>£00.00</u>
Market rent	£995.00 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 asked the Tribunal to consider her financial circumstances and by implication to fix a later starting date in this case. The Tenant says she will otherwise be caused undue hardship because the rent proposed is unaffordable as she is currently out of work.
14. The Landlord did not respond to the Tenant's request for postponement due to hardship.
15. As a result of our decision the rent will increase by £325 per month. The date specified in the landlord's notice was 21 September 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 11 February 2026.

Decision

16. Therefore, the Tribunal determines the market rent at £995 per calendar month with effect from 11 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 (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.