

	<p>FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)</p>
<p>Case Reference</p>	<p>MAN/00BY/MNR/2026/0127</p>
<p>Property</p>	<p>311 Princes Wharf, 2 Pioneer Square, Liverpool L5 9AB</p>
<p>Tenant</p>	<p>Kevin Essery</p>
<p>Tenant's Representative</p>	
<p>Landlord</p>	<p>Torus Liverpool</p>
<p>Landlord's Address</p>	<p>The Observatory, 1 Old Haymarket, Liverpool L1 6RA</p>
<p>Landlord's Representative</p>	
<p>Date of Application</p>	<p>21 April 2026</p>
<p>Type of Application</p>	<p>Determination of a Market Rent sections 13 & 14 of the Housing Act 1988</p>
<p>Tribunal Members</p>	<p>Mr N Swain MRICS – Chair Mrs B Dhoofer-Sagoo</p>
<p>Date of Decision</p>	<p>05 June 2026</p>
<p>Rent Determined</p>	<p>Not applicable</p>
<p>Date the new rent takes effect</p>	<p>Not applicable</p>

REASONS FOR THE DECISION

Background

1. On 10 February 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £838.40 per calendar month(pcm) in place of the existing rent of £800.00 pcm to take effect from 01 April 2026.
2. On 16 March 2026, 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 November 2025 for a term of twelve months. The rental period is monthly.

Determination and Valuation

4. It would appear that the Landlord has mistakenly used Form 4, under the Housing Act 1988 to notify the Tenant of a rent increase. However, this increase is within the fixed term of the tenancy and the agreement has a rent review clause within it. Therefore, the Tribunal has no jurisdiction to decide the matter.

Decision

5. The Tribunal has no jurisdiction to determine the market rent for this property.

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.