

	<p>FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)</p>
<p>Case Reference</p>	<p>MAN/00EY/MNR/2026/0259</p>
<p>Property</p>	<p>39 Albany Avenue, Blackpool, FY4 1QB</p>
<p>Tenant</p>	<p>Dora & Adrian Skeen</p>
<p>Tenant's Representative</p>	<p>Richard Southall</p>
<p>Landlord</p>	<p>Yvonne Caselli</p>
<p>Landlord's Address</p>	<p>16 St Anthony's Close, Milnethorpe, Cumbria LA7 7DT</p>
<p>Landlord's Representative</p>	
<p>Date of Application</p>	<p>01 May 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>£870.00 per calendar month</p>
<p>Date the new rent takes effect</p>	<p>23 June 2026</p>

REASONS FOR THE DECISION

Background

1. On 30 April 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £875.00 per calendar month(pcm) in place of the existing rent of £650.00 pcm to take effect from 23 June 2026.
2. On 01 May 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 01 May 2024 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.

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. 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 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. The Tribunal did not inspect the Property.
10. The Property is a semi-detached house, offering the following accommodation:

Hall, open plan kitchen/lounge, three bedrooms, and bathroom with full suite including shower. Also, the loft space is boarded out and suitable for use as office or workshop.

Outside: Garage converted into a studio.

The Property benefits from gas central heating and double glazing.

The Property is situated in the Squires Gate area of Blackpool within close proximity of amenities and just to the south of the town centre.

Evidence

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

The Tenant.

12. The Tenant made the following comments:

- a) The kitchen is dated and worn. The Landlord had indicated that the kitchen was due to be refurbished.
- b) They accepted the need for an increase, but that the scale of the increase was the issue.

13. In terms of rental evidence, the Tenant had provided a list of four comparable properties ranging from £695 pcm to £750 pcm. Little detail was provided, but all were referred to as being two bedroom properties.

The Landlord

14. The Landlord made the following comments:

- a) They had never promised a new kitchen, just suggested it may be a possibility. Further, that the Tenant had requested not to have the work done due to the disruption.
- b) That the property was in a very desirable area.
- c) That they were trying to sell the property with the Tenants remaining in occupation.

15. In terms of rental evidence, the Landlord had provided a list of four comparable properties ranging from £900 pcm to £950 pcm. Little detail was provided, with no detail about size or condition. They indicated that at least 4 letting agents had confirmed the range of rental values, but provided no documentation to evidence this.

Determination and Valuation

16. Given the lack of detail, the comparable evidence was disregarded. 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 £895.00 pcm. 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.

17. From this level of rent, the Tribunal has made adjustments in relation to the following:

- a) The unmodernised condition of the kitchen.

The full valuation is shown below:

Starting Rent

£895.00 pcm

Less

a) Items given under a) above £25.00
£25.00

Market rent

£870.00 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 asked the Tribunal to fix a later starting date in this case. They say they will otherwise be caused undue hardship because the rent is funded by benefit payments. They are both retired and very elderly.
14. The Landlord did respond, indicating that the Tenants are particularly fit and well for their age.
15. As a result of our decision the rent will increase by £220 a month. Both parties have misunderstood the issue of hardship. It relates to the backdating of rent increases to the notice date and the hardship that may be caused if this was several months ago. In this case, the notice date is in the future and therefore, the Tribunal has no legal basis on which to alter the notice date and the rent will increase from 23 June 2026.

Decision

16. Therefore, the Tribunal determines the market rent at £870.00 per calendar month with effect from 23 June 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.