

	<p>FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)</p>
<p>Case Reference</p>	<p>MAN/00AB/MNR/2026/0116</p>
<p>Property</p>	<p>Apartment 96, Skyline, Heelis Street, Barnsley S70 1DL</p>
<p>Tenant</p>	<p>Parascovia Armasaru</p>
<p>Tenant's Representative</p>	
<p>Landlord</p>	<p>Celia Cambata</p>
<p>Landlord's Address</p>	<p>c/o PO Box 540, Wakefield WF1 9DU</p>
<p>Landlord's Representative</p>	<p>The Letting Co</p>
<p>Date of Application</p>	<p>23 February 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>£520.00 per calendar month</p>
<p>Date the new rent takes effect</p>	<p>07 April 2026</p>

REASONS FOR THE DECISION

Background

1. On 09 February 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £550.00 per calendar month(pcm) in place of the existing rent of £475.00 pcm to take effect from 07 April 2026.
2. On 23 February 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 07 February 2020 for a term of six 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 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 first floor flat forming part of a modern multi storey highrise development, offering the following accommodation:

Open plan kitchen/lounge, one bedroom, and bathroom.

Outside: space in communal garage.

The Property benefits from electric heating and double glazing.

The Property is situated within the centre of Barnsley.

Evidence

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

The Tenant.

12. The Tenant made the following comments:

- a) That the apartment has a mould issue, partly caused by the unheated garage being directly below the apartment. This causes black spots in the corners of all rooms and has damaged some of her belongings. Pictures provided.

13. In terms of rental evidence, the Tenant suggested that similar properties are available around £500 pcm but provided no evidence.

The Landlord

14. The Landlord provided copies of the information that it had given to the Tenant about dealing with condensation damp.

15. The following comparables were provided by the Landlord from Rightmove:

- a) Langdale Court, Barnsley. This is a two bedroom apartment, advertised at £800.00 pcm.
- b) Burleigh Street, Barnsley. A top floor, one bedroom apartment in a low rise development. Advertised at £650 pcm.
- c) Providence Court, Barnsley. A first floor two bedroom maisonette. Advertised at £600 pcm.

16. The Landlord referred to its letting of several one and two apartments within the same apartment block and suggested rents of £575 for the one bedroom apartments, but provided no details of the rental agreements.

Determination and Valuation

17. None of the Landlord's comparables were considered relevant. The first and third were for two bedroom apartments and the second one in Burleigh Street appears to be a spacious top floor apartment in a much more desirable block.

18. The Tribunal considered that, whilst condensation was a factor in it developing, the main cause was most likely to be a result of the construction of the building and therefore, beyond the control of the Tenant.

19. Relying on its own expert, general knowledge of rental values in the area Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £570.00 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.

20. From this level of rent, the Tribunal has made adjustments in relation to the following:
- a) Issues with the condition of the Property which reduce its value including condensation and mould.

The full valuation is shown below:

Starting Rent		£570.00 pcm
<u>Less</u>		
a) Items given under a) above		£50.00
		<u>£60.00</u>
Market rent		£520.00 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 they are unemployed and relying on benefits. They live in a one bedroom apartment, despite having a child, because they cannot afford anything bigger. However, they did not provide any evidence to support this.
- 14. The Landlord did not respond to the Tenant's application for postponement due to hardship.
- 15. As a result of our decision the rent will increase by £45 a month. The date specified in the landlord's notice was 07 April 2026. As no evidence has been provided, the Tribunal considers that there are no grounds for a claim of undue hardship. Therefore, the increase will take effect from the date stated in the notice, being 07 April 2026.

Decision

- 16. Therefore, the Tribunal determines the market rent at £520.00 per calendar month with effect from 07 April 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.