

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00BU/MNR/2025/0999
Property	Flat 1, 439 Chester Road, Old Trafford, Manchester, M16 9HA
Tenant	Amy Walsh
Tenant's Representative	
Landlord	Diana Zalk
Landlord's Address	The Mill, Askham, Penrith CA10 2PF
Landlord's Representative	Kobby Ankah
Date of Application	31 August 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr S Wanderer MRICS – Chair Mrs H Clayton
Date of Decision	16 June 2026
Rent Determined	£870.00 per calendar month
Date the new rent takes effect	11 May 2026

REASONS FOR THE DECISION

Background

1. On 30 July 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £870.00 per calendar month(pcm) (including electricity charges of £70) in place of the existing rent of £635.00 pcm (including electricity charges of £35) to take effect from 1 September 2025.
2. On 31 August 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 shorthold tenancy commenced on 1 March 2024 for a term of six months. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant.

4. As per tenancy agreement and 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. The rent includes electricity charges. The Property is let unfurnished.

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. N/A

Inspection/Hearing

8. Neither party requested an oral hearing. The Tribunal has considered this case on the basis of an inspection, the papers provided by the parties and its own knowledge and specialist expertise.

The Property

9. The Tribunal carried out an inspection of the Property on 11 May 2026 in the presence of the Tenant and the Landlord's agent.
10. The Property is a ground floor flat within a converted building offering the following accommodation:

Open plan kitchen/lounge, bedroom, bathroom providing full suite.

Outside: communal garden and parking to rear – parking is on a first-come-first-served basis – basement storage.

The Property benefits from gas-fired central heating and is double glazed.

The Property is situated in the Old Trafford area of Manchester within close proximity of amenities. Manchester City Centre is approximately 1.5 miles to the north east.

Evidence

11. Both the Tenant and the Landlord provided written submissions.

The Tenant

12. The Tenant provide correspondence in which she accepted the electricity charges of £70 pcm but proposed a rent of £700 per month. The Tenant also mentioned that she had undertaken gardening works to the communal garden.
13. In terms of rental evidence, the Tenant did not provide any comparable evidence.

The Landlord

14. The Landlord for his part provided as comparables lettings of three other flats in the same building, two at £800 pcm and one at £780 pcm (all excluding utilities).

Determination and Valuation

15. The Tribunal attributed significant weight the comparables provided by the Landlord within the same building.
16. 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 in reasonable condition would be £800.00 pcm exclusive of utilities. 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. The Tribunal considers the Property to be in good condition.
17. From this level of rent, the Tribunal has made adjustments in relation to the following:
 - a) The provision of electricity by the Landlord.

The full valuation is shown below:

Starting Rent	<u>£800.00 pcm</u>
<u>Add</u>	
a) Items given under a) above	<u>£70.00</u>
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. Shortly before the date of inspection, the Tenant enquired about the Tribunal's ability to fix a later starting date in this case. As this was not an application as such, the Tribunal allowed further time for the Tenant to make an application, including any supporting evidence, for the start of the new rent to be delayed, following which the Landlord was allowed time to submit a response.
14. The Tenant's application for a delayed start date is based on the fact that she is out of work and reliant upon Universal Credit, any increase in which will in all likelihood not be backdated.
15. The Landlord's Representative contested the Tenant's application, arguing that the new rent should commence from the date specified in the Notice of Increase, and noting that a delay would be a cause of hardship to the Landlord.
16. The Tribunal is mindful that the need for additional time to consider this matter was a result of the Tenant's late application for a delayed starting date. Had the application been made in good time, we would have made our determination following our inspection on 11 May 2026.
17. As a result of our decision the rent will increase by £235 a month. The date specified in the Landlord's Notice was 1 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 May 2026.

Decision

18. Therefore, the Tribunal determines the market rent at £870.00 per calendar month with effect from 11 May 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.