

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/00CS/MNR/2025/0809
Property	6a New Meeting Street Oldbury B69 4DG
Tenant	Michelle Jones & Warren Stephens
Tenant's Representative	None
Landlord	Tamya Homes
Landlord's Address	-
Landlord's Representative	None
Date of Application	19 September 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Nicholas Wint FRICS – Chair Neil Richmond MRICS
Date of Decision	18 June 2026
Rent Determined	£825 per calendar month
Date the new rent takes effect	10 January 2026

REASONS FOR THE DECISION

Background

1. The Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £950 per calendar month(pcm) in place of the existing rent of £650 pcm to take effect from 10 January 2026.
2. On 19 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 10 March 2018. 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 curtains 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.
7. The rent determined is exclusive of Council Tax.

Any other terms of the tenancy taken into consideration in determining the rent

8. None.

Inspection/Hearing

9. Neither party requested an inspection or a hearing.
10. The Tribunal considered this case on the basis of the papers provided by the parties and its own knowledge and specialist expertise.

The Property

11. The Property is a ground floor flat and provides the following accommodation:

Internal: Living room/ kitchen/ diner, bathroom and 2 bedrooms and ensuite.

Outside: Communal garden area and private gated parking.

The Property benefits from central heating, double glazing, carpets and curtains and white goods.

Evidence

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

The Tenant

13. The Tenant submitted that there were mould and damp issues in the rooms.
14. The Tenant also submitted that there were no carpet or curtains fitted when they moved in and that the washing machine belong to them having replaced the original.
15. The Tenant also stated that there was an outstanding improvement notice in relation to damp and mould served by the council on 23 October 2025 with work due for completion by 8 January 2026. The Tenant stated that as of 15 January 2026 several items remained outstanding
16. The Tenant disputed the evidence submitted by the Landlord. The Tenant advised that the occupier of Flat 8 had been in occupation since 2008 and that it was not a recent letting and stated they do not pay £1000pcm but £950pcm. As regard Flat 8A the Tenant stated that as the flat was let under a government scheme to an asylum seeker it is not at a market rent and should be disregarded.
17. The Tenant stated that there is not a single example of a flat in the building let at more than £950pcm. They say Flat 14 is only paying £900pcm and Flat 10a £850pcm. They stated that Flat 14 had initially been marketed at £950pcm before being reduced. They also said that Flat 10A is £850pcm which has additional loft space. In addition, the Tenant referred to the following which are similar to the Property:

Kellner Gardens - 2 bed flat at £850pcm
Bromford Rd – 2 bed flat at £895pcm

Broadwell Road - 2 bed flat at £850pcm
The Crossing – 2 Bed flat at £995pcm
Tufail Drive – 2 bed flat at £995pcm
New Meeting Street – 2 bed flat at £950pcm

18. As regard the condition of the Property the Tenant stated that the shower is not leaking and they do not have a shower and must be a mistake on the part of the Landlord. There are however other outstanding repairs including:

Damp and mould and repainting required.

19. In conclusion the Tenant therefore considers the Landlords rental value of the Property is not justified.

The Landlord

20. The Landlord submitted details of the following comparable evidence from within the same building:

Flat B - £1000 pcm
Flat 16A - £950pcm
Flat 14 - £900 pcm

21. All three properties are broadly similar in size, layout and internal specification.
22. In addition, the Landlord submitted a Best Price Guide Report setting out further comparable properties from the surrounding area supporting the above figures.
23. The Landlord stated that all repairs have been carried out and the only outstanding matter is a leaking shower which has been scheduled.
24. Based on this the Landlord concluded that the rental range was between £900 and £1,000pcm and adopted a proposed rent of £950 pcm.

Determination and Valuation

25. The Tribunal had regard to the submissions and evidence and to its own expert general knowledge of rental values in the area.
26. The Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £875pcm. 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 other properties that are offered to let in the market.

27. The Tribunal found it necessary to make an adjustment for the condition of the Property compared to the evidence.
28. The Tribunals full valuation is shown below:

Starting Rent	£875.00pcm
<i><u>Less</u> <u>Adjustments for condition</u></i>	<i><u>£50.00</u></i>
Market rent	£825.00 pcm

Undue hardship

29. 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.
30. The Tenant did not make an application in this respect.

Decision

31. Therefore, the Tribunal determines the market rent at £825 per calendar month with effect from 10 January 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.