

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/17UK/MNR/2026/0041
Property	37 Smallthorn Place Woodville Swadlincote Derby De11 7EJ
Tenant	Matthew McLaughlin
Tenant's Representative	
Landlord	Mr V Pankhania
Landlord's Address	14 Blysthford Road Hall Green Birmingham B28 0UR
Landlord's Representative	Martin & Co
Date of Application	15th February 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr G S Freckelton FRICS (Chairman) Mrs K Bentley
Date of Decision	17th June 2026
Rent Determined	£610.00 per calendar month
Date the new rent takes effect	22nd March 2026

REASONS FOR THE DECISION

Background

1. On 12th February 2026 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £650.00 per month in place of the existing rent of £600.00 per month to take effect from 22nd March 2026.
2. On 15th 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 22nd November 2018 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 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. 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 inspection or 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. Submissions were made by the tenant. No submissions in respect of rental evidence was made by the landlord.

9. Based on the information provided to it, the Tribunal understands that the property is a second floor flat offering the following accommodation:

Hall with store off, living room, kitchen, one bedroom, bathroom.

Evidence

10. The tenant submitted:
- a) That the landlord had carried out no repairs during the tenancy.
 - b) A bathroom upgrade was required as there is no shower.
 - c) In the last 3 years the rental has increased by £175.00 pcm.
 - d) The property comprises of a small flat.
 - e) An identical flat was offered for rent at £590.00 pcm in November 2025. As such, an increase to £650.00 pcm could not be justified.
 - f) The tenant attached a photograph of the exterior of the building and a copy of the letting details for an identical flat in the block in November 2025 at £590.00 pcm.

Determination and Valuation

11. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided by the parties the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £610.00 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 property.
12. The tenant submitted a copy of a letter from Martin & Co dated 6th November 2025 referring to the rent increase taking place on 22nd January 2026. The Tribunal is unsure of the relevance of this letter as the Notice of Increase confirms the starting date of the new rent as being 22nd March 2026. The Tribunal has therefore disregarded this letter.

Decision

13. The Tribunal therefore determined that the rent at which the subject property might reasonably be expected to be let in the open market by a willing Landlord under an assured tenancy was £610.00 pcm with effect from 22nd March 2026.

Undue Hardship

14. 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.

15. The Tenant has not asked the Tribunal to fix a later starting date in this case. The rent is therefore determined at £610.00 pcm with effect from 22nd March 2026.

Chairman: G S Freckelton FRICS

Date: 17th 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.