

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	CAM/22UM/MNR/2026/0056
Property	4 The Bay, 39 Crowstone Avenue, Westcliff-on-Sea, Essex, SS0 8FQ
Tenant	Farixiya Harir Ismail
Tenant's Representative	
Landlord	Rose Island Properties Ltd
Landlord's Address	72 The Ridgeway, Westcliff-on-Sea, Essex, SS0 8NU
Landlord's Representative	
Date of Application	09 April 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Judge Wendy Banks Dr Jan Wilcox
Date of Decision	10 June 2026
Rent Determined	N/A
Date the new rent takes effect	N/A

REASONS FOR THE DECISION

Background

1. On 03 November 2025, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2,700 per calendar month (pcm) in place of the existing rent of £2,600 pcm to take effect from 28 December 2025.
2. The Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of a market rent under Section 13(4)(a) of the Housing Act 1988. The application form is dated 09 January 2026 and was received by the Tribunal on 09 April 2026.
3. The assured tenancy commenced on 28 November 2022 for a term of 12 months. The rental period is monthly.

Jurisdiction

4. The Landlord's notice specified 28 December 2025 as the date on which the proposed rent increase was to take effect. The Tenant's application was received by the Tribunal on 9 April 2026. It was therefore served after the date of the proposed rent increase taking effect. Applying *R (Lester) v London Rent Assessment Committee* [2003] 1 WLR 1449, the application was not made in time and did not confer jurisdiction on the Tribunal to determine the rent. The application must therefore be dismissed for want of jurisdiction.

Decision

12. Application is dismissed.

Name: Judge Wendy Banks

Date: 26 June 2026

APPEAL PROVISIONS

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), on a point of law only, then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the tribunal will then look at such 3 reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e., give the date, the property, and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).