

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00CY/MNR/2026/0075
Property	Apartment G9, Elland Road, Elland, Halifax, West Yorkshire HX5 9JB
Tenant	Toks Adeniji
Tenant's Representative	N/A
Landlord	Ashgrove House Properties Ltd
Landlord's Address	Brulimar House, Jubilee Road, Middleton, Manchester M24 2LX
Landlord's Representative	N/A
Date of Application	17.03.2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	I Jefferson R Stewart MBE
Date of Decision	22.06.2026
Rent Determined	£470pcm
Date the new rent takes effect	21.03.2026

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 £500per calendar month(pcm) in place of the existing rent of £435pcm to take effect from 21 March 2026.
On 17 March 2026, under Section 13(4)(a) of the Housing Act 1988, the Tenant appealed the proposed new rent to the Tribunal for determination.
The monthly tenancy commenced on 5 February 2021.

The Tenant raised an issue of validity, stating that he considered the Notice to be invalid and referred to a previous Application in 2023, but without citing the reason as to why he considered this Application to be invalid. The Tribunal enquired of the Panel Office and received a copy of a 'Consent to Withdrawal' dated 29 August 2023. Other than to confirm that the 2023 Application was withdrawn no other information is on file.

Without any reasoning from the Tenant to indicate why he considers this Application to be invalid the Tribunal determines it to be valid.

Allocation of Repairs and Council Tax between Landlord and Tenant.

2. Responsibility for Repairs is as per section 11 of the Landlord and Tenant Act 1985. The property is furnished. No service charge is payable.
The Tenant is responsible for the payment of Council Tax in respect of the Property.

Inspection/Hearing

3. Neither party requested an 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, but without using any secret evidence.

The Property

4. The Property is a Ground-Floor Flat, one of 47, comprising Reception, Bedroom, Kitchen and Bathroom, with radiator central heating. A large surface car park serves the development.

The Property is situated in Elland, a village lying between Halifax and Huddersfield.

Representations as to Rental Value

5. Tenant

In initial representations the Tenant claimed the Market Rent should be £400-£435pcm.

Following the Landlord's submissions, which detailed rents of various flats in the development, the Tenant argued that the Landlord had been selective, and the Tenant put forward a detailed schedule of past rents of all the flats in the development, including floor areas.

He pointed out that Flats C4, C5, and C9, cited by the Landlord whilst £495 or £500, were all at least 10sq. m larger than the subject flat, and S11 20sq. m at £550.

The Tenant included photographs showing minor scuffs, and marks to the flat and common areas.

6. Landlord

The Landlord put forward 4 or 5 flats in the development with current rents ranging from £495 to £550pcm.

Tribunal Determination

7. The Tribunal found the following facts:

- i The Landlord was selective in the comparables he put forward.
- li The photographs submitted by the Tenant of the flat and common areas showed minor disrepair and the Tribunal made an appropriate allowance.

8. The Tribunal had regard to its own knowledge and experience of market rent levels for similar properties in the area, but without any specific or secret evidence, and the representations from each Party. The Tribunal considers that the Market Rent of the subject Property in reasonable order would be £490pcm. This is the rent the Tribunal would expect the property to let for in the open market if it was in the same general condition as comparable properties and assuming floor coverings, white goods and curtains/blinds are provided by the landlord.

9. From this figure, the Tribunal adjustments were:

Nil for Tenants improvements

Adjustment of £20 re minor scuffs to walls, and stains to carpets etc.

10. The Tenant claimed that as a teacher on national wage scales in relation to Section 14 (7) he would suffer hardship. The Tribunal do not consider that the cost of living in Elland is greater than the norm and on the submissions made to the Tribunal, his occupation does not justify undue hardship.

Decision

11. In the circumstances the Tribunal determines a Market Rent of £470pcm payable from 21 March 2026.

Appeal Provisions

12. If either party is dissatisfied with this decision, they may apply for permission to appeal to the Upper Tribunal (Lands Chamber) but generally only on a 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 stating the grounds upon which it is intended to rely in the appeal.