

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/24UH/MNR/2026/0142
Property	56 Brook Gardens Emsworth Hampshire PO10 7LB
Tenants	Jackie Flannery & Shane Flannery
Tenant's Representative	None
Landlord	Susan Barclay and Robin Barclay
Landlord's Address	23 Brook Gardens Emsworth PO10 7JY
Landlord's Representative	Done
Date of Application	6th May 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	I R Perry FRICS Ms S Johnson
Date of Decision	16th July 2026
Rent Determined	£1,750 per calendar month
Date the new rent takes effect	1st June 2026

REASONS FOR THE DECISION

Background

1. On 30th April 2026 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,750 per calendar month (“pcm”) for the Property in place of the existing rent of £1,600 pcm to take effect from 1st June 2026.
2. On 6th May 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 7th June 2025 for a fixed term expiring on 31st May 2026 at a rent of £1,750 pcm. At the end of the lease the tenancy became an assured periodic tenancy.

Allocation of Repairs between Landlord and Tenant.

4. The Landlord is responsible for repairs.

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. 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

The Hearing

8. Neither party requested a hearing.

The Property

9. The Property is a modern semi-detached house situated within a cul-de-sac of similar properties on the west side of Emsworth.
10. The accommodation includes a living/dining room, kitchen, 3 bedrooms and bathroom with wc. Outside there are gardens to front and rear, a garage on off-street parking for 2 vehicles.
11. The property has gas-fired central heating and double-glazed windows.

Evidence

12. The Tenants provided an application form with supporting documents. The Landlords provided a Rents Form MR2 and supporting documents, including photographs.
13. Any personal circumstances are not to be taken into account by the Tribunal.

Tenants.

14. The Tenant made the following submissions/comments:
 - a) They question the validity of the Notice of Rent Increase.

The Landlords

15. The Landlord made the following submissions/comments:
 - a) That the Notice of Rent increase is valid.
 - b) The Landlords state that the property was freshly decorated inside prior to the start of the tenancy in 2025.
 - c) The Landlords provide a number of comparable properties which have been recently let at rents between £1,750 and £2,000 pcm. They also state the subject property had been let previously for £1,750 pcm.

The Notice

16. The Tenant suggests that the Notice is invalid as, under the initial tenancy, the rent is required to be paid by 27th of the previous month. The Notice states that the date the new rent shall be payable from 1st June 2026 as this is the first date of the new tenancy.
17. Given that the Notice was served prior to the implementation of the new Renters Reform Act, and it relates to a new tenancy agreement from 1st June 2026, the Tribunal takes the view that the Notice is valid.

Determination and Valuation

18. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided, the Tribunal considers that the market rental of the subject property to be £1,750 pcm.

Undue hardship

19. 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.
19. The Tenant has made no submission or provided any evidence that the new rent will cause undue hardship in respect of hardship.

Decision

20. Therefore, the Tribunal determines the market rent at £1,750 per calendar month with effect from 1st June 2026, this being the date specified in the Notice.

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.