

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/00HR/MNR/2026/0162
Property	Room 3 Chideock Hill Cottage Chideock Bridport Dorset DT6 6JW
Tenants	Marco Garmino
Tenant's Representative	None
Landlords	Charles Samways and Sarah Samways
Landlord's Address	Thistledome Salwayash Bridport Dorset DT6 5HX
Landlord's Representative	None
Date of Application	25th 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	22nd July 2026
Rent Determined	The Application is struck out.

REASONS FOR THE DECISION

Background

1. On 23rd April 2026 the Landlords served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £600 per calendar month (“pcm”) for the Property in place of the existing rent of £550 pcm to take effect from 5th June 2026.
2. On 25th 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 Friday 7th March 2025.

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. All utilities and some furnishings are included in the rent.

Liability for Council Tax

6. The Landlord is responsible for the payment of Council Tax in respect of the Property.

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

7. None

Hearing

8. Neither party requested a hearing.

The Property

9. The Property is a single room on the first floor of a shared 4-bdroom house with common bathroom and kitchen facilities.

Evidence

10. The Landlord's Notice proposing a new rent is dated 23rd April 2026 and states that the starting date for the new rent will be Friday 5th June 2026.
11. The Assured Shorthold Tenancy states that the tenancy began on Friday 7th March 2025 with rent to be paid on or before the 7th of each month.

The Law

12. The guidance notes for tenants which **must** be served by any landlord with the notice of rent increase, at paragraph 18 states that in **all** cases "the proposed new rent **must** start at the beginning of a period of the tenancy. For instance, if the tenancy is monthly, and started on 20th of the month, rent will be payable on that day of the month, and a new rent must begin then, not on any other day of the month."
13. The Tribunal has no discretion that it can apply. The Landlord is not precluded from serving a fresh and valid notice.

Determination

14. The Tribunal determines that the notice proposing a new rent is invalid because the proposed commencement date does not fall at the beginning of a tenancy period. Accordingly, the Tribunal has no jurisdiction to determine a market rent and the application is struck out.

Decision

12. Therefore, the Tribunal determines the application dated 25th May 2026 is struck out.

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.