

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/21UD/MNR/2026/0066
Property	8a Aldborough Road St Leonards-on-Sea East Sussex TN37 6SE
Tenants	Vladimir Bogdan
Tenant's Representative	None
Landlord	Gershon Estates Limited
Landlord's Address	c/o Raven Estates 1A Ferndale Road London N15 6UF
Landlord's Representative	Raven Estates
Date of Application	14th April 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 10th March 2026 the Landlord's Agent served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £750 per calendar month ("pcm") for the Property in place of the existing rent of £368.33 pcm to take effect from 12th April 2026.
2. On 14th April 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.

Allocation of Repairs between Landlord and Tenant.

3. 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.

4. None.

Liability for Council Tax

5. The Tenant 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.

6. None

Hearing

7. Neither party requested a hearing.

The Property

8. The Property is basement/garden level studio flat comprising a bedroom, kitchen, bathroom and storeroom. Outside there is a garden.

Evidence

9. The Landlord's Notice proposing a new rent is dated 10th March 2026 and states that the starting date for the new rent will be 12th April 2026.
10. The original assured tenancy commenced on 1st May 2018, and the latest tenancy agreement supplied to the Tribunal is dated 23rd August 2023 which specifies that the first payment of rent must be paid by 6th September 2023 and subsequent rents must be paid by 6th day of each month.

The Law

11. 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."
12. The Tribunal has no discretion that it can apply regarding the validity of the notice. The Landlord is not precluded from serving a fresh and valid notice.

Determination

13. 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 14th April 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.