

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00FF/MNR/2026/0083
Property	3 Chudleigh Road, York, YO26 4YL
Tenant	Maryna Pozdnyakova
Tenant's Representative	
Landlord	Klaus Zauner
Landlord's Address	214 Boroughbridge Road, York, YO26 6BD
Landlord's Representative	
Date of Application	1 March 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr S Wanderer MRICS – Chair Ms S Johnson
Date of Decision	1 June 2026
Rent Determined	£1,145.00 per calendar month
Date the new rent takes effect	1 April 2026

REASONS FOR THE DECISION

Background

1. On 20 February 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,175.00 per calendar month(pcm) in place of the existing rent of £1,000.00 pcm to take effect from 1 April 2026.
2. On 1 March 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 1 October 2024 for a term of 6 months. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant.

4. As per tenancy agreement and section 11 of the Landlord and Tenant Act 1985.

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. The Tenant does not pay any service charges, The Property is let furnished.

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. N/A.

Inspection/Hearing

8. 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.

The Property

9. The Property is described in the submissions as a semi-detached house providing the following accommodation:

Ground Floor: kitchen, through living/dining room
First Floor: 2 bedrooms, bathroom

Outside: driveway/front garden, rear garden.

The Property is situated in the Leeman Road area of York within close proximity of amenities. York City Centre is approximately 1 ½ miles to the east.

Evidence

10. Both the Tenant and the Landlord returned the Tribunal's Reply forms.

The Tenant

11. The Tenant's submissions can be summarised as follows:
- a) The Tenant raised a number of issues regarding the condition of the property, including: "mice infestation within the property, persistent cold conditions, particularly on the ground floor, water leakage from the bathroom into the dining area, structural cracks which have continued to worsen over time, defects in flooring and external areas, including the garden, garden condition". As regards the last of those points, the main issue involves a fallen tree which obstructs a portion of the garden.
 - b) The Tenant provided the following comparable evidence and proposed a monthly rental of £800:
 - a. Salisbury Terrace - £700 pcm 2 bed terrace
 - b. Poplar Street - £1,100 pcm 2 bed terrace
 - c. Hanover Street West - £1,150 pcm 2 bed terrace
 - d. St. Barnabas Close - £1,200 pcm 2 bed terrace

The Landlord

12. The Landlord for his part took issue with most of the condition issues raised by the Tenant. He also provided a copy of a valuation report for the Property dated 9 October 2024 which gave a rental value for the Property of £1,100.
13. In addition to this, the Landlord referred to four comparables ranging in rent between £1,150 and £1,777 pcm. Unfortunately, the links provided by the landlord for three of the four properties were no longer active when the Tribunal considered the case. The only active link was for:
- a) Stamford Street East - £1,430 pcm 2 bed terrace

Determination and Valuation

14. The Tribunal placed greater weight on the comparable evidence provided by the Tenant, which was more comprehensive and detailed than that of the Landlord. The Tribunal also noted that the only comparable of the Landlord's which it could access was marketed as a house share for students. The Tribunal considers, however, that the subject Property,

whilst it has two bedrooms, is generally larger and better appointed than much of the 2-bed comparable evidence referred to.

15. Relying on its own expert, general knowledge of rental values in the area, and the comparables referred to above, the Tribunal considers that the market rental of the subject Property modernised and in good order would be in the order of £1,300.00 pcm. This is the rent we would expect the property to let for in the open market if it was in the same general condition as the comparable properties.
16. From this level of rent, the Tribunal has made adjustments in relation to the following:
 - a) The condition of the Property relative to the comparable properties, which are generally more modern and maintained to a higher standard.
 - b) The fallen tree limiting the utility of the garden.

The full valuation is shown below:

Starting Rent		<u>£1,300.00</u> pcm
<u>Less</u>		
a)	Items given under a) above	£130.00
b)	Items given under b) above	£25.00
		<u>£155.00</u>

Market rent

£1,145.00 pcm

Undue hardship

12. 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.
13. The Tenant has stated that a rent increase will cause financial hardship. Only very limited information without supporting evidence was provided as to the Tenant's financial position.
14. Whilst any significant increase in rent will inevitably cause some measure of hardship, in considering whether to exercise its discretion to postpone the rent increase, the question for the Tribunal is whether undue hardship will be caused. In this case, the Tribunal does not consider that a case for undue hardship is established. Accordingly, the new rent will take effect from the date specified in the Landlord's Notice of Increase.

Decision

15. Therefore, the Tribunal determines the market rent at £1,145.00 per calendar month with effect from 1 April 2026.

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.