

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00FA/MNR/2026/0084
Property	4 Rutherglen Drive, Hull, HU9 3PE
Tenant	James Griffiths
Tenant's Representative	
Landlord	Mark & Hayley Lees
Landlord's Address	The Gables, Ottringham Road, Keyingham, HU12 9RY
Landlord's Representative	
Date of Application	28 February 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	£725.00 per calendar month
Date the new rent takes effect	1 March 2026

REASONS FOR THE DECISION

Background

1. On 27 January 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £800.00 per calendar month(pcm) in place of the existing rent of £610.00 pcm to take effect from 1 March 2026.
2. On 28 February 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 2021 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 unfurnished.

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. A tentative request was made by the Tenant for an oral hearing 'if the tribunal require'. The Tribunal is of the view that a hearing is not warranted and 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 mid-terrace house providing the following accommodation:

Ground Floor: kitchen, living room, conservatory

First Floor: 2 bedrooms, box room, bathroom

Outside: front garden, rear garden.

The Property is situated in the Southcoates area of Hull within close proximity of amenities. Hull City Centre is approximately 3 miles to the south west.

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 referred to a number of maintenance issues and also expressed the view that the Property is 'legally' a 2 bedroom house due to the small size of the box room.
 - b) The Tenant provided the following comparable evidence and proposed a monthly rental of £610-650:
 - a. Colenso Avenue - £575 pcm 2 bed terrace
 - b. St. Abbs Close - £750 pcm 3 bed semi
 - c. Rosmead Street - £600 pcm 2 bed terrace
 - d. Rosmead Street - £650 pcm 2 bed semi

The Landlord

12. The Landlord responded to the maintenance issues raised in the Tenant's submissions by noting that these had not been raised previously and alleging that it has proven difficult to access the property when requested. The box room is, in the Landlord's view large enough to be considered a bedroom.
13. The Landlord provided the following comparable evidence in support of the proposed rent:
- a. Middleburg Street - £785 pcm 2 bed terrace
 - b. Severn Street - £895 pcm 3 bed terrace
 - c. East Park Avenue - £850 pcm 3 bed terrace

Determination and Valuation

14. The Tribunal deliberated initially the question of the box room and considers that there is no need for it to make a determination as to the status of the room. It is clearly an additional small room and an incoming tenant would make their own decision about what use to make of it. This might for example be a home office or a child's bedroom. The Tribunal noted that the comparable evidence provided by both parties was drawn from a fairly wide area and included both 2 and 3 bedroom properties.

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 £750.00 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 appear generally more modern and maintained to a higher standard.

The full valuation is shown below:

Starting Rent	<u>£750.00 pcm</u>
<u>Less</u>	
a) Items given under a) above	<u>£25.00</u>

Market rent

£725.00 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 £725.00 per calendar month with effect from 1 March 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.