

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/OOCW/MNR/2026/0074
Property	6 Mount Road Willenhall West Midlands WV13 3JZ
Tenant	Miss S V Tyler
Tenant's Representative	
Landlord	Mr K Kapoor & Mrs S Kapoor
Landlord's Address	8 Rosehill Close Solihull Birmingham B91 3PS
Landlord's Representative	
Date of Application	12th March 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr G S Freckelton FRICS (Chairman) Mrs S Sohota
Date of Decision	12th June 2026
Rent Determined	£900.00 per calendar month
Date the new rent takes effect	13th April 2026

REASONS FOR THE DECISION

Background

1. On 9th March 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £995.00 per calendar month (pcm) in place of the existing rent of £895.00 pcm to take effect from 13th April 2026.
2. On 12th 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 13th October 2014 for a term of six months. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant.

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

Services Charges or furniture provided by Landlord (other than carpets and curtains 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.

Inspection/Hearing

8. Neither party requested an inspection or 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. Based on the information provided to it the Tribunal understands that the Property is a terraced house offering the following accommodation:

Ground Floor: lounge, kitchen

First Floor: two bedrooms, bathroom.

The property is understood to have central heating and double glazing.

Outside there are gardens to front and rear.

The Property is situated in a residential area with mixed type properties.

Evidence

10. Both parties made submissions to the Tribunal.

The Tenant.

The Tenant made the following comments:

- a) The property has mould and is draughty.
- b) It took the landlord 3 months to repair the fence.
- c) Other repairs were only completed when she complained to the local authority.
- d) The landlord had put the rent up regularly and threatened to evict her.
- e) The property is not worth the rent proposed. The neighbouring house pays £700.00 per month and the other neighbour pays £850.00 per month for three bedrooms.
- f) She is disabled and does not earn enough to move to another property.
- g) She had received Notice requiring Possession dated 9th March 2026.
- h) A list of works required by Wolverhampton Council was submitted dated 5th February 2024. The Tribunal assumes that these items have now been attended to.
- i) The tenant submitted details of comparable properties:
 - 1) West Winds, Wolverhampton – a modern 2-bedroom town house offered at £925 pcm.
 - 2) Alamein Road, Willenhall – an older style 2-bedroom house offered at £950.00pcm.
 - 3) Oakridge Drive, Willenhall – a 2-bedroom semi detached house offered at £895.00 pcm.
 - 4) Marbury Drive, Bilston – a 2-bedroom semi detached house offered at £950.00 pcm.
 - 5) Yale Drive, Wolverhampton – a modern 2-bedroom house offered at £925.00 pcm.

- j) The tenant submitted photographs of the property showing details of damp and mould.

The Landlord

The Landlord submitted:

- a) A professional damp investigation was carried out by Damp Secure. A copy of the invoice and warranty was sent to the Tribunal.
- b) Damp Secure confirmed that much of the mould was due to condensation. This was caused by inadequate ventilation and drying clothes inside the property.
- c) Contractors were not always able to gain access to complete repairs.
- d) Decorations and stickers had been fixed to the walls without consent.
- e) Pets have been kept at the property without consent.
- f) There have been other unauthorised tenants in the property for extended periods.
- g) The landlord provided copy invoices for works completed to the property from Damp Secure, Skyish Ltd (for window repairs) and PAV Building Solutions Ltd for fence repairs.
- h) The landlord submitted details of comparable properties:
 - 1) Victoria Street, Wolverhampton – a 2-bedroom house offered at £1,100.00 pcm.
 - 2) Marshall Road Willenhall – A detached bungalow offered at £1,050.00 pcm.
 - 3) Filton Place, Wolverhampton – a modern 2-bedroom town house offered at £1,100.00 pcm.
 - 4) Carlton Avenue, Wednesfield – a larger semi-detached house offered at £1,250.00 pcm.
 - 5) Helming Drive, Wolverhampton – a semi-detached house offered at £1,000.00 pcm.
 - 6) Sigmund Close, Wolverhampton – a semi-detached house offered at £1,100.00 pcm.
 - 7) Details of flats which the Tribunal do not regard as comparable.

In response to the landlords' submissions the tenant submitted:

- a) The rent proposed was excessive.
- b) Not all the work undertaken was completed.
- c) The neighbouring property was in better condition at only £700.00 pcm.
- d) No one else has been living at the property.

Determination and Valuation

- 11. The Tribunal considered the comparables provided by the Tenant and relying on its own expert, general knowledge of rental values in the area, considers that the

market rental of the subject Property would be in the order of £925.00 pcm. The Tribunal is of the opinion that the photographs provided indicate mould caused by condensation. However, the general condition of the property is dated and in need of updating. For this reason, the Tribunal makes a deduction of £25.00 pcm resulting in a rental of £900.00pcm.

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 asked the Tribunal to consider a later starting date for the commencement of the new rental in this case. The tenant states that she is disabled and on Universal Credit who only pay £600.00.
14. The landlords submitted that they could not comment on the alleged financial hardship.
15. As a result of the Tribunal's determination the rent will only increase by £5.00 pcm and the Tribunal does not therefore make any adjustment for Hardship.

Decision

Therefore, the Tribunal determines the market rent at £900.00 per calendar month with effect from 13th 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.