

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	LON/00AR/MNR/2026/0464
Property	Flat 28 Valentines House, 3 Fairmont Road, Rainham, Essex, RM13 8SA
Tenant	Kirsten Markham
Tenant's Representative	
Landlord	Sigma PRS Investments
Landlord's Address	Floor 3, 1 St Ann Street, Manchester, M2 7LR
Landlord's Representative	Whitney Harris, Simple Life London
Date of Application	31 May 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Judge D Brandler Dr Jan Wilcox FRICS
Date of Decision	29 July 2026

DECISION

The Tribunal does not have jurisdiction to determine this application for the reasons stated below.

It follows that the application must be struck out under Rule 9(2)(a) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, because the Tribunal does not have jurisdiction in relation to the proceedings or case or that part of them

REASONS

The Application

1. The Tribunal received an application form the Tenant, Kirsten Markham, dated 31 May 2026. The application was received by the Tribunal on 31 May 2026.
2. The application referred a Landlord's Notice of Increase in relation to Flat 28 Valentines Court, 3 Fairmont Road, Rainham, Essex, RM13 8SA (the subject property). The Notice of Increase was dated 30 March 2026 and proposed to increase the rent of the subject property from 30 May 2026 from £1,545.00 per month to £1,580.00 per month with effect from 30 May 2026.
3. The Tenant raised issues of validity of the Notice because the day proposing the increase of rent period, does not align to the current rent payment date, being the 31st month. The tenant provided evidence to support her submission in the form of bank statements showing payment of rent on 31st of the month.

The Law

4. The law is found in section 13 of the Housing Act 1988 which, insofar as is relevant to this application provides as follows:

Section 13(4) Where a notice is served under subsection (2) above, a new rent specified in the notice shall take effect as mentioned in the notice unless, before the beginning of the new period specified in the notice, -

(a) The tenant by an application in the prescribed form refers the notice to the appropriate tribunal

Facts Found

5. The tenant's application was received by the tribunal on 31 May 2026, which is the day after the beginning of the new period specified in the Landlord's Notice, which is 30 May 2026.

Discussion and Reasons for the Decision

6. While the tenant makes a strong submission in relation to the validity of the Landlord's Notice, the tenant did not comply with Section 13(4) Housing Act 1988. In order for the tribunal to have jurisdiction to consider the Tenant's submissions in relation to whether the notice was valid, she must comply with that section. The Tenant failed to send her application to reach the tribunal before the beginning of the new period of rent specified in the Landlord's Notice. The Tribunal does not therefore have jurisdiction to consider the Tenant's application.
7. It follows that the application must be struck out under Rule 9(2)(a) of the Tribunal Procedure (First-tier Tribunal)(Property Chamber) Rules 2013, because the Tribunal does not have jurisdiction in relation to the proceedings or case or that part of them. The practical effect of the decision is that the new rent specified in the notice shall take effect as mentioned in the notice.

Signed: Judge D Brandler

Date: 29 July 2026

ANNEX - RIGHTS OF APPEAL

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 (rule 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.