



FIRST-TIER TRIBUNAL PROPERTY CHAMBER

Applicants **Saynab Nur**
-v-

Respondent **Liverpool Muslim Society**

RE: **Flat 6, 94 Princes Road, Liverpool, L8 8AD**

Tribunal Procedure (First-tier) Tribunal (Property Chamber)
Rules 2013 Rule 9(2)(a)

ORDER

The Tribunal strikes out the application received on 30th January 2026.

REASONS FOR THE ORDER

The Tribunal wrote to the parties on 18 May 2026 seeking their representations on the proposal to strike out of this application within 14 days of the date the order was sent to them.

The only response received was from the Applicant's Representative on the 11 June 2026 agreeing with the Tribunal's preliminary view that the notice proposing the rent increase may be invalid.

In the case of Mooney v Whiteland [2023] EWCA Civ 67, it was confirmed that, whilst the Tribunal does not have the jurisdiction to determine whether a Notice of Increase is valid or not, it can take a view on the validity of a Notice of Increase in order to determine whether its jurisdiction is engaged.

It is the Tribunal's view that it does not have the necessary jurisdiction to consider this application. This is because the landlord's notice proposing a new rent appears defective on its face because it specifies as the starting date for the new rent a date which is not the commencement of a new period of the tenancy. The tenancy agreement was for a six-month term commencing on 20 November 2021. Following expiry of the assured shorthold tenancy, a statutory periodic tenancy arose starting on 20 May 2022 renewing each month thereafter on the 20th of the month. The proposed effective date of 1 February 2026 would not, therefore, accord with the requirements of the Housing Act 1988.

The Tribunal therefore has no alternative but to strike out the application in accordance with Rule 9(2)(a) of the Tribunal Procedure (First-tier) Tribunal (Property Chamber) Rules 2013.

Mr S Wanderer
Date: 16th June 2026