



**FIRST - TIER TRIBUNAL
PROPERTY CHAMBER (RESIDENTIAL
PROPERTY)**

Case Reference	MAN/00CZ/MNR/2026/0329
Property	25 Coldwell Street, Linthwaite, Huddersfield, HD7 5QN.
Tenant	Mr. Connor Holten and Ms. Olivia Davies
Tenant's Representative	N/A
Landlord	Mr. Nigel Pickering
Landlord's Address	45 Hill Grove, Salendine Nook, Huddersfield, HD3 3TL
Landlord's Representative	N/A
Date of Application	8th June 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr. Hefin Lewis FRICS – Valuer Chair Julie Chisholm– Tribunal Member
Date of Decision	6th August 2026
Rent Determined	£855.00 per calendar month
Date the new rent takes effect	10th June 2026.

REASONS FOR THE DECISION

Background

1. On 27th April 2026 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £900 per calendar month (pcm) in place of the existing rent of £850 pcm to take effect from 10th June 2026.
2. On 8th June 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 is dated and commenced on 27th January 2024 for a term of 12 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 curtain and white goods specified below) and the costs relating to the same.

5. £0

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. Accordingly, the Tribunal has considered this case based on the papers provided by the parties and its own knowledge and specialist expertise.

The Property

9. The Tribunal relies on the images and description provided by the parties. It is understood that the subject property comprises of a traditional stone built mid-terraced house with accommodation briefly comprising:

G.F. hall, living room, kitchen.

F.F. landing, two bedrooms, shower room with w/c.

Basement room.

Outside: enclosed front yard, rear garden

All mains' services including gas fired central heating.

The Property is situated in an established residential area within reasonable distance of general amenities and transport links.

Evidence

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

The Tenant.

11. The Tenant made the following comments:

11.1 "We feel the rent increase is quite unfair and above current market value, we strongly feel we are great tenants for a landlord to have. We look after the property like it is our own and also the work we have done on the garden has improved the property.

11.2 The recurring damp issues affecting the basement have remained throughout our tenancy and have limited our practical use of that area.

11.3 The garden wasn't very suitable to spend time in when we first moved into the property, we have done a lot of work to it ourselves to ensure it is suitable to spend time in and make the most out of."

12. In terms of rental evidence, the tenant has referred to comparable evidence from research of rental properties in the Linthwaite area of Huddersfield. These comprise of comparable two bedroom properties with quoted rents ranging from £750 to £800 per calendar month.

13. The tenant also identifies a property at Chapel Hill. Linthwaite which comprises of a mid-terraced two bedroom house with a confirmed letting of £750 pcm.

14. Reference is also made to a "privately" let house a few doors down from us and they are only charged £550 per month". However, no reliance is made on this letting owing to it being "very cheap".

The Landlord

15. The Landlord's statement in response includes:

- 15.1 The property provides approximately 93m² of accommodation including a substantial basement area, which materially exceeds the accommodation found in many standard two-bedroom terraces in the locality.
- 15.2 I acknowledge that the tenants have maintained the property and improved the garden during their tenancy, and I appreciate the care they have taken. However, whilst this is welcomed, these matters do not determine the open market rental value of the property for the purposes of a determination under Section 13 of the Housing Act 1988.
- 15.3 The tenant also refers to a privately rented property nearby at £550 per month. No evidence has been provided that this is an open market letting or that it is comparable in terms of size, accommodation, condition or specification. In my view, it should therefore be given limited weight when determining the market rent.

16. In terms of rental evidence, 4 properties were submitted by the Landlord by way of justification. The comparables are summarised as follows:

Property	Type	Rent Achieved (pcm)	Condition
Causeway Side - 0.3 Mile	Terraced 3 bedroom house - 69m ²	£1,075	Modern
Lower Wellhouse - 0.6 Mile	Terraced 2 bedroom house 64m ²	£900	Fair
Ivy Mount, - 1.4 Mile	Terraced 2 bedroom house 69m ²	£925	Good
Spa Mill Terrace - 1.5 Mile	Terraced 3 bedroom house 100m ²	£1,195	Good

Determination and Valuation

17. The Tribunal first considered the condition issues raised by the tenant. This consisted of damp issues to the basement area of the property which restricted use. The Landlord clearly recognised there was a problem with attempts made to

resolve using dehumidifiers etc The Tribunal notes that there was positive dialogue between the parties to resolve the issue. However, whilst the Landlords attempt to resolve the damp is commendable, the damp issue has implications for the tenant including disruption as to use and additional electrical costs for the dehumidifier etc.

18. Basement accommodation by their very nature is prone to damp issues. The Tribunal considered whether this would impact upon rental levels. If it was extreme, then the basement accommodation might be disregarded altogether from rental value computation. However, in this case, the damp is not considered extreme and therefore the Tribunal concluded that the basement would make some contribution to the overall rental value of the property subject to our comments at 17 above.
19. Tenant improvements were made to the garden which is recognised by the Landlord. However, from the images provided, the condition of the garden would be considered satisfactory rather than exceptional. Accordingly, the Tribunal makes no adjustment to rental value to reflect the improved garden.
20. In terms of rental evidence by the tenant, this consisted of web page research to establish a range of rental values in the Linthwaite area. The only confirmed rental was of Chapel Hill, Linthwaite being a two bedroom terraced house let at £750 pcm.
21. The Tribunal then turned to the supporting evidence provided by the Landlord. These comprised of 4 properties in the same or comparable location and comprised of two and three bedroom properties with a range of rental values from £900 to £1,195 pcm. Of the evidence provided, only the two bedroom properties are considered relevant evidence.
22. Accordingly, the three relevant comparables provided by the parties are:

Chapel Hill. Linthwaite	£750
Lower Wellhouse	£900
Ivy Mount	£925

23. Using its own expert, general knowledge of rental values in the area, and the comparables provided, the Tribunal considers that the market rental of the subject property modernised and in good order would be in the order of £900.00 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.

From this level of rent, the Tribunal has made adjustments in relation to the following:

- a) Damp issues to the basement area including resultant mould.

The full valuation is shown below:

Starting Rent	£900.00
<u>Less</u>	
a) Items given under (a) above (5%)	£ 45.00
Market rent	£ 855.00 pcm

Undue hardship

- 24. 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.
- 25. No issue of hardship is raised by the tenant and accordingly the Tribunal sets the starting date for the new rent as at the date specified in the rent increase notice being 10th June 2026.

Decision

- 26. The Tribunal determines the market rent at £855.00 per calendar month with effect from 10th June 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.

