	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	**MAN/00EY/MRA/2026/0007**
Property	**Flat 1, 21 Empress Drive, Blackpool, Lancashire, FY2 9SD**
Tenant	**Darren Marsh**
Tenant’s Representative	**None**
Landlord	**Blackpool Housing Company Limited**
Landlord’s Address	**348-350 Lytham Road, Blackpool FY4 1DW**
Landlord’s Representative	**None**
Date of Application	**20 May 2026**
Type of Application	**Determination of a Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Colin Green (Legal Chair) Huw Thomas FRICS (Valuer Member) Juliette McDonald (Lay Member)**
Date of Decision	**7 August 2026**
Rent Determined	**£512.26 per calendar month**
Date the new rent takes effect	**3 September 2026**

REASONS FOR THE DECISION

Background

1. Under a tenancy agreement between the parties dated 27 June 2019, an assured tenancy was granted of the Property for a term of 6 months from and including 27 June 2019. The rental period is monthly.

2. On 7 May 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 (as amended) which proposed a new rent of £512.26 per calendar month (pcm) in place of the existing rent of £488.80 pcm to take effect from 3 August 2026.

3. On 20 May 2026, under Section 14 (A3) of the Housing Act 1988, the Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of an open-market rent.

Allocation of Repairs between Landlord and Tenant

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

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

Hearing and Inspection

8. Neither party requested an oral hearing or inspection. The Tribunal is satisfied that it can properly consider this case based on the papers provided and its own knowledge and specialist expertise.

The Property

9. The Property is a ground floor flat comprising three rooms: one living room/kitchen approximately 12.6ft x 16.8ft, one bedroom approximately 9ft x 14.1ft l, and one bathroom approximately 3.6ft x 6.8ft (the bathroom is a converted corner of the bedroom). There is access to an external communal area.

10. The Property has three electric heaters (one in each room). It has double glazing in all rooms. There is carpet in the living room and bedroom but in the kitchen part of the living room and in the bathroom it is vinyl. No furniture is provided under the tenancy.

11. The building in which the Property is situated has recently benefited from the installation of external wallrock thermal liner to improve energy efficiency.

Evidence

12. The parties completed the relevant MR1 (Tenant), MR2 (Landlord) and MR3 (Tenant's reply) forms.

The Tenant

13. The Tenant made the following comments:

a) He considers that the market rent for the Property should be £432.24 pcm, which was the amount of his first rental increase from the initial rent of £411.66.

b) With the new rent increase it will make it very difficult to live in the Property.

c) Photographs of the front exterior of the building and of the interior of the Property were provided.

14. In terms of rental evidence, the Tenant did not have any information on other properties.

The Landlord

15. A floor plan of the Property was provided.

16. No specific comparables were provided by the Landlord. Instead, reliance is placed on an email report of 19 March 2026 to the Landlord from Greg Hoyle (AssocRICS) a consultant surveyor of Duxburys Benstead Limited. This consists of an update in respect of market rentals within the Blackpool area. The report acknowledges

> *"…the difficulties involved in obtaining relying [sic] statistics in order to map the range and pattern of rental values which have been achieved both recently and historically."*

17. The report contains two tables. The first lists "typical" rental values achievable in the Blackpool area. For a one-bedroom flat this is £450.00 – £625.00 pcm. In respect of specific figures, and with the qualification that, "exact figures cannot accurately be provided," the second table lists £550.00 for a one-bedroom flat.

18. The report concludes:

> *"Whilst I have attempted to 'pin down' rent values per house and flat types, you must be aware that this is not really possible or, indeed, is it realistic to confirm or guarantee the exact figures relating to the actual property type. I must, therefore, urge extreme caution in the use of these rental figures. There is a wide range of factors which affect rental values achievable and these include the following:*
>
> - *Size of the premises and various room dimensions.*
> - *Quality and condition of the fixtures, fittings, equipment and installations.*
> - *General condition of the premises.*
> - *The existence of on-site parking and specific shared site/garden areas, specifically in relation to flats.*
> - *The age and condition of the service installations and equipment.*
> - *With regard to flats, the floor level in which the premises are situated within the buildings or blocks – ground and penthouse*

units tend to command higher rental values. In respect of flats, whether the buildings or blocks are lift-served. Proximity to public transport, parking availability and, with upper level flats, the views that they command.

- *Any perceived social advantages/disadvantages of the locality.*
- *Special/individual attributes of the premises.*
- *Availability of any shared/ancillary accommodation, again this being specifically relating to flats."*

19. The Landlord does not accept the Tenant's figure of £432.24 pcm, as it is a reduction below the statutory notice increases from 3 July 2024 and 3 July 2025, neither of which were challenged by the Tenant. The Landlord's figure of £512.26 is lower than the midrange of £450.00 to £625.00 (£537.50) provided in Mr. Hoyle's report.

Determination and Valuation

20. Clearly, Mr. Hoyle's report is subject to several significant qualifications. Relying on his very general figures however, and on its own expert, general knowledge of rental values in the area, the Tribunal considers that the market rental of the Property in good condition would be in the order of £525.00 pcm, the rent it would be expected to be to let for in the open market.

21. There are no grounds for assessing the market rent at the considerably lower figure of £432.24 pcm proposed by the Tenant, an historic figure which does not match current market rents.

Undue hardship

22. The new rent takes effect from the date which is the beginning of the first new period of the tenancy which begins on or after the date of the determination (3 September in this case) 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 two months after it makes its determination.

23. Although, as noted at paragraph 13 b) above, the Tenant has stated that the new rent increase will make it very difficult to live in the Property, he has stated in form MR1 that that a rent increase will not cause him hardship. In so far as the

Tenant seeks to rely on hardship to postpone the date of increase however, there is insufficient evidence for the Tribunal to make a finding of undue hardship.

Decision

24. The Tribunal determines the new rent at the amount proposed by the Landlord of £512.26 pcm with effect from 3 September 2026 as this is lower than the open-market rent determined by the Tribunal.

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.