



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

Case Reference : **BIR/00CS/MRA/2026/0013**

Property : **29 Thistle Way, West Bromwich,
West Midlands. B71 3PB**

Applicants : **Pui Kwan Chan & Man Yim**

Representative : **None**

Respondent : **Citra Living Properties (No3) Limited**

Representative : **Ascend Estates Limited**

Type of Application : **Determination of an Open-Market Rent
sections 13 & 14 of the Housing Act 1988**

Date of Application : **20 June 2026**

Date of Determination : **11 August 2026**

Rent Determined : **£1360.00**

Effective Date : **22 August 2026**

Tribunal Members : **Judge P.J.Ellis.
Tribunal Member Ms J Rossiter MRICS**

**Date and Venue of
Determination** : **Paper**

DECISION

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REASONS FOR THE DECISION

Background

1. On 20 May 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £1500.00 per calendar month(pcm) in place of the existing rent of £1360.00 pcm to take effect from 22 July 2026.
2. On 20 July 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.
3. The tenancy commenced on 22 July 2024. The rental period is monthly.

Validity Of Notice

4. The validity of the notice of a new rent was not challenged.

Allocation of Repairs between Landlord and Tenant.

5. As per section 11 of the Landlord and Tenant Act 1985.
6. No Service Charges raised by landlord, no furniture provided by Landlord

Liability for Council Tax and Utilities

7. The Tenants are responsible for the payment of Council Tax and all utilities in respect of the Property.

Hearing

8. The parties did not request an oral hearing. The determination was made on the basis of written submissions and its own expertise.

Property and Inspection if any

The parties did not request an inspection. The subject property is a very modern three bedroom semi detached house with Baxi Assure 30 combination (combi) boiler with two-zone central heating and no hot water cylinder. From the photographs provided by the tenants, the Tribunal considers the property has double glazing windows. . The accommodation comprises a living room, kitchen and

WC on the ground floor and 3 bedrooms and 1 bathroom on the first floor. The flooring is a combination of carpet and woodflooring.

9. There are gardens to the front and rear. There is off street parking at the front of the property.

Evidence

Tenant

10. The tenants adduced evidence of six properties selected from Rightmove or in one case Zoopla. A traditional three bedroom semi detached at Kiniths Crecent in the B71 post code is on offer at £1150.00 pcm. Another traditional three bedroom semi-detached house at Rayford Drive also in the B71 post code is on offer at £1250.00 pcm. A three bedroom semi at Wittons Lane is offered at £1300.00 pcm. In post code WS2, an extended four bedroom semi-detached house at Primley Avenue is offered at £1300.00 pcm. Two further four bedroomed properties were presented with quoting rents of £1400.00 pcm.

Landlord

11. In reply the landlord asserted the tenants' comparables were unreliable. They are not up to the same specification as the subject property. He submitted the Rightmove Best Price guide showing properties in the exact area and similar or exact specification and size of the tenants' property on the market for £1500.00 pcm. The agent further contended that they are receiving high volumes of interest and are fully booked up with viewings. His submission was that the rent claimed is achievable when put on the available market for the same specification, size and age of the property.
12. The guide comprised two properties. One at Millfields B71 being a three bedroomed semi-detached property offered at £1500.00 pcm in June 2026. The second was in Roman Way also offered at £1500.00 pcm in

June 2026. There was little information about either property other than a list of accommodation available.

13. The tenants made a submission in reply to the landlord's case claiming the landlord's evidence consists of properties advertised by the same company that manages and markets properties within this development. As these are the landlord's own advertised properties, they represent the landlord's asking rents rather than independent evidence of the open market. An advertised rent does not necessarily reflect the rent that is ultimately agreed by a tenant. The statement that these properties have received a high level of interest or fully booked viewings does not demonstrate that they have been successfully let at £1,500 pcm.

Determination and Valuation

14. The Tribunal found the landlord's evidence of comparables inadequate in answer to that of the tenants. The landlord's comparables did not include completed lettings of comparable properties. The Rightmove Best Price Guide is not the best evidence. In the circumstances the Tribunal accepts and adopts the tenants' evidence to find that the open market rent for a property of the type and age of the subject property is in the region of £1360.00pcm.

Open market Rent

15. £1360.00

Determination

16. Rent determination remains unchanged at £1360.00 with effect from 22 August 2026.

Reimbursement of Fees

17. In view of the decision of this Tribunal the tenants are entitled to reimbursement of the fees paid on issue of these proceedings in the sum of £47.00.

Appeal

18. 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.