

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	CAM/26UL/MRA/2026/003
Property	36 Bishops Rise, Hatfield, Hertfordshire, AL10 9HH
Tenant	Carmelo Fulgencio
Tenant's Representative	
Landlord	Gifty Ansong
Landlord's Address	2nd Floor, Titan Court, 3 Bishops Square, Hatfield, AL10 9NA
Landlord's Representative	Harrps Ltd
Date of Application	27 May 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Judge Wendy Banks Tribunal Member David Hunt MRICS
Date of Decision	05 August 2026
Rent Determined	£1,550 per calendar month
Date of Valuation	05 August 2026
Date the new rent takes effect	N/A

REASONS FOR THE DECISION

Background

1. On 01 May 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £1,700.00 per calendar month (pcm) in place of the existing rent of £1,550.00 pcm to take effect from 01 June 2026.
2. On 27 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.
3. The tenancy commenced on 01 November 2022. The rental period is monthly.

Validity Of Notice – Section 13B of the Housing Act 1988

4. In the application form, the Tenant indicated that the Landlord's notice was valid. However, the application was accompanied by an email from the Tenant to the Landlord's representative dated 2 May 2026, in which the Tenant challenged the validity of the notice on the basis that it gave only one month's notice of the proposed rent increase. The Tenant contended that section 13 of the Housing Act 1988 required two months' notice. The Tribunal treats that email, which formed part of the material filed with the application, as raising a challenge to the validity of the notice for determination under section 13B of the Housing Act 1988.
5. The Tribunal determines that the notice served by the Landlord under section 13(2) of the Housing Act 1988 is invalid. Section 13(2)(a) provides:

“For the purpose of securing an increase in the rent under a tenancy to which this section applies, the landlord may serve on the tenant a notice in the prescribed form proposing a new rent to take effect at the beginning of a new period of the tenancy specified in the notice, being a period beginning not earlier than—

(a) the minimum period two months after the date of the service of the notice;”

6. The notice in this case was dated 01 May 2026 and proposed that the increased rent should take effect from 01 June 2026. The proposed effective date was therefore only one month after the date of the notice. That did not comply with

section 13(2)(a), which required the new rent to take effect at the beginning of a period of the tenancy beginning not earlier than two months after the date of service of the notice. The notice is therefore invalid.

7. For those reasons, the Tribunal determines that the notice is invalid. The proposed increase cannot therefore take effect pursuant to that notice, and the rent payable under the tenancy remains unchanged.
8. As there is no valid section 13 notice before the Tribunal, the Tribunal has no jurisdiction to determine the application. The application is therefore struck out pursuant to rule 9(2)(a) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013.

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 (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.