

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00CB/MNR/2026/0139
Property	Apartment 4, 233 Beckwith Street, Birkenhead, Merseyside, CH41 4HW
Tenant	Parvaz Khan
Tenant's Representative	N/A
Landlord	One Vision Housing Limited
Landlord's Address	PO Box 891, Orpington, BR6 1LY
Landlord's Representative	Capsticks Solicitors LLP
Date of Application	30 March 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Mr S Wanderer MRICS – Chair Ms J Chisholm
Date of Decision	25 August 2026
Rent Determined	£755.00 per calendar month
Date the new rent takes effect	1 April 2026

REASONS FOR THE DECISION

Background

1. On 10 February 2026 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £645.77 (inclusive of a fixed service charge of £151.89) per calendar month (pcm) in place of the existing rent of £616.20 (inclusive of a fixed service charge of £91.94) pcm to take effect from 1 April 2026.
2. On 30 March 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 shorthold tenancy commenced on 21 October 2024 for a term of 12 months. The rental period is monthly.
4. This application is being determined afresh, having previously been considered by a different Tribunal panel whose decision was set aside because that panel did not have the Tenant's full submissions when it made its determination.

Allocation of Repairs between Landlord and Tenant.

5. As per tenancy agreement and 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.

6. The service charge includes:

Communal cleaning	£75.75
Compliance	£44.16
Management fee	£19.81
Communal utilities	£11.73
Estate management fees	£0.44
Total	£151.89

Liability for Council Tax

7. 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.

8. This is an intermediate rent tenancy. The total rent on tenancy commencement is capped at 80% of the market rent. Rent is increased thereafter in accordance with the terms of the tenancy.

Inspection/Hearing

9. Neither party requested an oral hearing. The Tribunal has considered this case on the basis of the papers provided by the parties and its own knowledge and specialist expertise.

The Property

10. The property is reported to comprise of a ground floor flat in a modern block of purpose built apartments. Floor plan submitted within the application indicate that the accommodation comprises of: shared entrance lobby, entrance hall, living room, kitchen, family bathroom with w/c. Main bedroom with en-suite shower and w/c. bedroom 2.

Evidence

11. The Tenant completed an online application form MR1 to which the Landlord responded on the Tribunal's form Rents 1A. The Tenant in turn submitted the Tribunal's form Rents 1B. This matter was considered by previously constituted Tribunal panel, to whom the form Rents 1B was not provided. Accordingly, the first panel's decision was set aside and both parties were provided with the opportunity to provide further submissions.

The Tenant

12. The Tenant made the following comments:

"The current standard of maintenance for the communal areas does not justify this exorbitant charge, nor does it reflect well on the property's overall open- market desirability. I have attached photographic evidence demonstrating chronic issues with overflowing communal waste facilities and litter consistently strewn across the property's pathways. A private tenant paying 100% open market rent would expect a significantly higher standard of property management. This documented lack of maintenance should negatively impact the tribunal's assessment of the property's open market rental value."

13. In terms of rental evidence, the Tenant stated:

"The £650 figure provided is my assessment of the 100% open market rent for this property, based on current comparable private listings in the CH41/CH44 area (e.g., a modern 2-bed, 2- bath apartment on Liscard Road listed at £650 pcm). However, please note this is a designated Rent to Buy property. Under the rules of this scheme, my actual payable rent and service charges combined are capped at 80% of the open market rate. Therefore, based on a £650 market valuation, my actual charged total should be no more than £520 pcm. The landlord's proposed total of £645.77 implies a 100% open market valuation of over £807, which is vastly inflated and unsupported by local market data."

In support of this statement, the following comparable evidence was submitted:

Property	Type	Rent Advertised
Liscard Court, Liscard Road, Wallasey, Merseyside, CH44	2 bedroom First Floor Flat.	£650 - unfurnished
Ilford Avenue in Wallasey, CH44	2 bedroom Ground Floor Flat.	£595 - unfurnished

The Landlord

14. In its submission, the Landlords representative stated that,

“the cost of services has increased for the landlord. As this is an intermediate rent tenancy, the proposed net rent has been reduced accordingly.

This is an intermediate rent tenancy. The total rent on tenancy commencement is capped at 80% of the market rent. Rent is increased thereafter in accordance with the terms of the tenancy.”

15. In terms of evidence, the following comparables were submitted by the Landlord’s agent by way of justification:

Property	Type	Rent Advertised
Bebington Road, Birkenhead, Wirral, Merseyside, CH42	2 bedroom First Floor Flat	£795 PCM - Unfurnished
Hillside Road, Wallasey, Merseyside, CH44	2 bedroom First Floor Flat	£800 PCM - Unfurnished
Oxton Road, BIRKENHEAD, CH41	2 bedroom First Floor Flat	£815 PCM - Unfurnished
Prenton Road West, Birkenhead, Merseyside, CH42	2 bedroom Ground Floor Flat	£850 PCM - Unfurnished
3 Caroline Place, Birkenhead, CH43	2 bedroom Second Floor Flat	£850 PCM - Unfurnished

Determination and Valuation

16. In accordance with Section 14 of the Act, the Tribunal is to determine what rent the landlord could reasonably be expected to obtain for the property in the open market if it were let on an Assured Tenancy in the condition that is considered usual for such an open market letting exclusive of water rates and council tax.
17. The Tribunal assesses the rent for the property as at the date of the Landlord’s Notice. The Tribunal disregards any improvements made by the tenant but has regard to the impact on rental value of disrepair which is not due to a failure of the tenant to comply with the terms of the tenancy.

18. In this case the rent includes an amount identified for fixed service charges. Although the rent payable is identified in the S.13 Notice, the Landlord stated that the service charges are fixed. Accordingly, they are treated as part of the market rent determined by the Tribunal.
19. The Tribunal considered the Tenant's submissions:
20. Firstly, that the standard of maintenance of communal areas was not of a standard to justify an increase. This is supported with photographic evidence. Whilst the Landlord had submitted that the issues highlighted had been resolved, the Tenant produced dated evidence showing that the issues have persisted. The Tribunal accepts the Tenant's submissions that the waste disposal and cleaning arrangements for the block are inadequate.
21. Secondly, in terms of rental evidence, the Tenant relied on two properties. Liscard Court, Liscard Road, Wallasey is a two bedroom first floor flat located in what appears to be an older building advertised for rent at £650 pcm. The second is an older ground floor converted flat on Ilford Avenue advertised at £595 pcm.
22. The Tribunal then turned to the supporting evidence provided by the Landlord. The Landlord listed 5 properties being a mix of older converted flats in the same general locality. Advertised rents ranged from £795 to £850.
23. There is therefore a total of 7 properties offered in evidence with wide divergence on rental values. Narrowing down to relevant evidence, the Tribunal dismisses the outlier properties being Liscard Court (£650), Ilford Avenue (£595), Prenton Road (£850) and Caroline Place (£850). The remaining evidence provides a range of £795 to £815 with an average of £803.33.
24. Using its own expert, general knowledge of rental values in the area, and having regard to comparables provided (where relevant), the Tribunal considers that the market rental of the subject property modernised and in good order would be in the order of £805 per calendar month inclusive of Fixed Service Charges.
25. From this level of rent, the Tribunal has made adjustments in relation to the following:

- a) Waste disposal/communal cleaning issues.

The full valuation is shown below:

Starting Rent	<u>£805.00</u> pcm
<u>Less</u>	
a) Items given under a) above	£50.00
Market rent	£755.00 pcm

26. It is worth noting that there is a significant increase in service charges costs which the Landlord attributes to inflation. However, an increase of over 60% is excessive. Notwithstanding, the level of service charge costs is somewhat academic given that the service charges are included in the overall rent. Whilst a breakdown of the rent increase is not necessary here, it is noted that the 'rent' element of the Landlord's proposed increase has reduced.
27. This determination makes no allowance for the Landlord's undertaking referred to in paragraph 8 above.
28. This rent will take effect from 1 April 2026 being the date specified by the landlord in the notice of increase.

Decision

29. Therefore, the Tribunal determines the market rent at £755.00 per calendar month with effect from 1 April 2026, being the date specified in the Landlord's Notice of Increase.

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.