

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00EW/MRA/2026/0029
Property	The Orchard, Warrington Road, Mickle Trafford, Chester CH2 4EA
Tenant	Peter J Bennison
Tenant's Representative	
Landlord	John Jackson
Landlord's Address	The Manor, Warrington Road, Mickle Trafford, Chester CH2 4EA
Landlord's Representative	Dwell Estate Agents
Date of Application	26 June 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Tribunal Judge Angela Davies Tribunal Member Huw Thomas FRICS
Date of Decision	26 August 2026
Rent Determined	£2650 per calendar month
Date the new rent takes effect	24 September 2026

REASONS FOR THE DECISION

Background

1. On 13 May 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £2950 per calendar month (pcm) in place of the existing rent of £2650.00 pcm, to take effect from 24 July 2026.
2. On or about 26 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 commenced on 15 September 2023 for a term of 12 months. The rental period is a calendar month.

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. The Landlord has provided wall unit, sofa and dining table. There are no service charges.

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/inclusive 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 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

9. The parties did not ask the Tribunal to inspect the Property and the Tribunal did not consider it necessary to do so before making its determination.
10. The Property is a period detached house with 2 living rooms, 4 bedrooms, 3 bathrooms and a ground floor toilet. The Landlord has retained use of the loft.

Outside: Garage and garden. The Property is relatively secluded.

The Property is centrally heated and has double glazed windows in wooden frames.

The Property is situated in the village of Mickle Trafford close to Chester and within commuting distance to Liverpool, Warrington and Manchester.

Evidence

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

The Tenant.

12. The Tenant made the following comments:

There is some disrepair, which the Tribunal has noted in photographs provided by the Tenant as follows: patched wooden window and door frames, draughtiness requiring the application of insulation strips, damage to decorations and plasterwork caused by leaking pipe, blown double glazing unit.

13. In terms of rental evidence, the Tenant provided the following comparables arising from a search for houses within 3 miles of Chester – these are recent asking rents:

- a) 4 bedroomed, detached, Upton-by-Chester, £2500pcm
- b) 4 bedroomed, detached, Chester, £1950pcm
- c) 4 bedroomed, detached, Mickle Trafford, £1500pcm
- d) 4 bedroomed, detached, Chester, £2200pcm
- e) 4 bedroomed, end terrace town house, Chester, £1500pcm

The Landlord

14. The Landlord has not commented on the Tenant's application, and has not provided any comparable rents. The Landlord has not responded regarding the Tenant's description of disrepair at the Property.

Determination and Valuation

15. The Tribunal considers the comparables provided by the Tenant are relevant to this matter.
16. Relying on its own expert, general knowledge of rental values in the area, and the comparables provided by the Landlord, the Tribunal considers that the market rental of the subject Property in good letting order would be in the order of £2750 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 (allowing for the fact that the comparables are modern properties whereas the Property is older) including having white goods and curtains provided by the landlord.
17. From this level of rent, the Tribunal has made adjustments in relation to the repair issues noted above.

The full valuation is shown below:

Starting Rent	<u>£2750</u> pcm
---------------	------------------

Less

Allowance for disrepair	£100 pcm
-------------------------	----------

Market rent	£2650 pcm
--------------------	------------------

Undue hardship

18. The new rent takes effect from the beginning of the next rent period after the date of the Tribunal's determination, 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.
19. The Tenant has asked the Tribunal to fix a later starting date in this case. He says he will otherwise be caused undue hardship because he is self employed and receives an irregular monthly income.
20. The Landlord did not respond to the Tenant's application for postponement due to hardship.

21. As a result of our decision the rent will not increase. Accordingly the Tribunal makes no determination as to the Tenant's request for a later starting date. The new rent is payable from 24 September 2026.

Decision

22. Therefore, the Tribunal determines the market rent at £2650 per calendar month with effect from 24 September 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.