

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/00CN/MNR/2025/0712
Property	207 Runcorn Rd., Balsall Heath, Birmingham, B12 8QY
Tenant	Abdul Ali Azzerghni
Tenant's Representative	None
Landlord	Green Square Accord
Landlord's Address	2nd Floor, 10 Brindley Place, Birmingham, B1 2JB
Landlord's Representative	None
Date of Application	2 April 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	I.D. Humphries B.Sc.(Est.Man.) FRICS D. Douglas
Date of Decision	13 August 2026
Rent Determined	£140.00 per week
Date the new rent takes effect	7 April 2025

REASONS FOR THE DECISION

Background

1. On 21 February 2025 the Landlord served a notice under Section 13(2) of the Housing Act 1988 proposing a new rent of £152.32 per week (pw) in place of the existing rent of £123.41 pw, to take effect from 7 April 2025. The new rent included a fixed service charge of £40.71 pw which was a reduction compared with the previous year's charge of £63.90 pw.
2. On 2 April 2025, 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 6 December 1999. The rental period is weekly.

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 service charge covers many items normally provided by landlords in the rental market at no extra cost to tenants, for example cleaning and maintenance of common parts, electricity for the common parts which is presumably lighting in hallways, fire risk assessments, door entry maintenance etc. It also includes the landlord's costs of management and administration that again are not normally charged by private landlords for assured tenancies in the private rental market which is the datum for rent comparison.

Liability for Council Tax

6. The Tenant is responsible for 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. There are no unusual terms to our knowledge.

Inspection/Hearing

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

The Property

9. The Tribunal has not inspected the property but seen the image taken from the road frontage on Google Streetview and taken account of written evidence provided by the parties. It is a three storey brick and tile building providing several flats which from its general appearance probably dates from the 1990s.
10. The accommodation is a ground floor maisonette with living room, kitchen, two bedrooms and bathroom.

Evidence

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

The Tenant

12. The Tenant said he was unable to work due to disability and relied solely on PIP allowances.

The Landlord

13. The Landlord requested an extension of time on 15 December 2025 due to staff illness which was granted by the Tribunal.
14. The Landlord subsequently sent a submission dated 6 January 2026 asking the Tribunal to dismiss the application on the ground that the rent review should not be challenged as 'social rent will never be higher than market rent'. No comparables were provided.

Determination and Valuation

15. Relying on its own expert general knowledge of rental values in the area, the Tribunal considers the market rental of the subject Property modernised and in good order would be in the order of £140 pw including the fixed 'service charge' which as stated above at para.5, is in the opinion of the Tribunal, simply a charge levied by the landlord for costs that would normally be covered by a private landlord as part of its costs for running a building. Any comparison

with private rents would have to be made on a global inclusive basis irrespective of the breakdown for service charges to be a fair comparison. The exception would be if the service charges included unusual items such as personal care, but there is no evidence of that in this case. Accordingly, we determine the Market Rent as below:

Market rent including service charge of £40.71 pw: £140.00 pw

Undue hardship

16. No evidence was provided to suggest the increase would cause the tenant undue hardship to the tenant, as the rent is paid by a public body via PIP payments.

Decision

17. The Tribunal therefore determines the market rent at £140.00 per week with effect from 7 April 2025.

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.