	FIRST - TIER TRIBUNAL **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**MAN/00EX/MRA/2026/0066**
Property	**35 Bower Fold, Blackburn, Lancashire, BB2 2AS**
Tenant	**Graham Milburn and Sharon Milburn**
Tenant's Representative	
Landlord	**The PRS REIT (SW II) Investments LLP**
Landlord's Address	**291 Warley Road, Halifax, Hx20ad, United Kingdom**
Landlord's Representative	**Ascend Properties**
Date of Application	**18 July 2026**
Type of Application	**Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Tribunal Judge Brown** **Mr H Thomas, FRICS**
Date of Decision	**2 September 2026**
Rent Determined	**£1,160.00 per calendar month**
Date of Valuation	**2 September 2026**
Date the new rent takes effect	**24 September 2026**

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 £1,160.00 per calendar month(pcm) in place of the existing rent of £1050.00 pcm to take effect from 24 July 2026.

2. On 18 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 24 May 2021. The rental period is monthly.

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.

Liability for Council Tax

5. 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.

6. N/A

Hearing

7. 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

8. The Property is an end terrace house comprising 3 bedrooms, living room, family bathroom, additional w/c and kitchen. There is a garden to the rear and drive to the front.

The Property benefits from double glazing, wooden flooring to ground floor and bathroom and carpeted staircase and bedrooms.

It was let with carpets, window dressings and white goods.

The Property is situated in Blackburn with Darwen

Evidence

9. The parties completed the relevant MR1 (tenant), MR2 (landlord) and MR3 (tenant's reply).

The Tenant

10. The Tenant made the following comments:

a) The Tenant did not provide comparable rental evidence, but set out

"Proposed new rent represents a 10.48% increase, almost 4 times the rate of inflation. Rent had increased by 55% since the beginning of our tenancy in May 2021 (£760 - £1160) against a national average of 30% Fixtures and fittings have remained the same so have 5 years depreciation from the start of tenancy (carpets, appliances etc) 3 bedroom houses with our BB2 2 postcode are generally in the region of between £750 £950 pcm. A quick browse of the rental property sites will show that only Simple Life properties are charging rates in excess of £1100pcm. Of 47 houses on our development at least 10 are currently vacant, some of which have been vacant for 4-6 months."

b) Further, "*The BB2 2 postcode is among the most deprived areas of Blackburn with Darwen and ranks in the top 10% nationally on all poverty indices. Outside of our little cul de sac, the surrounding area isn't very desirable to say the least and has monthly rental rates to suit this. I have been unable to download any local properties for comparison due to being unable to convert them to a suitable format for the form. A cursory glance by yourselves at OnTheMarket or Zoopla will show you the much lower rental costs for non Simple Life properties within the area. We understand that Simple Life properties are going to be above the average cost due to the increased costs of being a* *'managed estate' but it is the amount of the yearly increases which we are disputing*."

c) The Tenant suggested a rent increase in line with inflation (represented to be 2.6% - 2.8%) would be around £1,080 pcm.

The Landlord

11. The Landlord set out repairs it had undertaken to the Property. It represented that the subject property had a larger garden, for which it proposed an additional sum of £25, and for its corner-plot position an additional £20, to add to the proposed comparable rent sum of £1,185 pcm.

12. The following comparables were provided by the Landlord:

a) A record of achieved rents for similar properties on the Bowers Fold Estate range from £1,225 in November 2025 to £1,160 on June 2026.

b) Particulars of asking rents for 3 bedroom properties on Bowers Fold, ranging between £1,160 and £1,185 pcm

Determination and Valuation

13. Under section 14(1) of the Housing Act 1988 (as amended), the Tribunal is required to determine the rent at which the Property might reasonably be expected to let in the open market by a willing Landlord at the beginning of the new period specified in the Landlord's notice. Relevant Tenant improvements or failure of the Tenant to comply with the terms of the tenancy are to be disregarded. Historic issues relating to the tenancy or the personal circumstances of the Landlord are not taken into account. The personal circumstances of the Tenant are only considered if an application for hardship has been made.

14. Relying on its own expertise and general knowledge of rental values in the area, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £1,160.00 pcm. From the evidence before us we found that the Property is in good order, not requiring any modernisation, having been constructed and let within the last 10 years. This is the rent we would expect the property to let for in the open market at the valuation date.

15. From this level of rent, the Tribunal has made no adjustments.

The full valuation is shown below:

Starting Rent £1,160.00pcm

Less

No deductions

Open-Market Rent £1,160.00 pcm

Undue hardship

1. The new rent takes effect from the date which is the beginning of the first new period of the tenancy which begins on or after the date of the 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 up to two months after it makes its determination.

2. In the Application the Tenant has asked the Tribunal to fix a later starting date in this case. The Tenant says they will be caused undue hardship if the rent increase is over 10% of the current sum, as this will amount to over 25% of their gross monthly earnings.

3. The Landlord did not respond to the Tenant's application for postponement due to hardship

4. The threshold for demonstrating undue hardship is high. The Tenant has produced no evidence to support their submissions. On the basis of the evidence provided, the Tribunal considers that for the increase to take effect from the date the Tribunal makes its determination would not cause undue hardship and does not fix a later starting date.

Decision

The Tribunal determines the new rent amount at £1,160.00 per calendar month with effect from 24 September 2026 which is the beginning of the first new period of the tenancy which begins on or after the date of the determination.

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 after 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.