

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00CY/MRA/2026/0057
Property	29 Clapton Avenue, Halifax, HX1 3XB
Tenant	Fosia Jama
Tenant's Representative	
Landlord	Mohammed Ahdim
Landlord's Address	291 Warley Road, HALIFAX, Hx2oad, United Kingdom
Landlord's Representative	
Date of Application	14 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	£800.00 per calendar month
Date of Valuation	2 September 2026
Date the new rent takes effect	1 October 2026

REASONS FOR THE DECISION

Background

1. On 30 June 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £975.00 per calendar month(pcm) in place of the existing rent of £700.00 pcm to take effect from 1 September 2026.
2. On 14 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 1 September 2025. 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.

5. N/A

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 of Council Tax.

Any other terms of the tenancy taken into consideration in determining the rent.

7. N/A

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 Property is a terraced house comprising 3 bedrooms, 2 reception rooms, family bathroom, additional w/c, kitchen and storage room. There is a small garden.

The Tribunal noted 3 flights of stairs, therefore assume a cellar and attic, possibly a later conversion, unfortunately neither party fully described the layout and the Tribunal has made reasonable assumptions based on the very limited evidence presented to it.

The Property benefits from gas-fired central heating

The Property is situated in Halifax

Evidence

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

The Tenant

11. The Tenant made the following comments:
 - a) The Tenant stated that they had lived at the Property for 8 years.
 - b) She fitted new carpets two months before the application.
 - c) The heating is not working.
 - d) She thinks the windows are not double glazed.
 - e) The garden is very small.
 - f) The Tenant did not provide comparable rental evidence.

The Landlord

12. The Landlord made the following comments:

The Landlord confirmed that all windows are double glazed, that the Tenant had failed to maintain the carpet and a charity had replaced it for her. The boiler had been replaced before the letting commenced. The police damaged the rear door to the Property when undertaking a welfare check. The Tenant had repeatedly denied access to the Property for the landlord and his contractors. The “majority” of repairs now had been completed by the Landlord.

13. The Landlord did not provide comparable rental evidence, but in its Reply indicated he was willing to reduce the proposed rent to £825.00pcm.

Determination and Valuation

14. 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.
15. 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 £825.00 pcm. This is the rent we would expect the property to let for in the open market at the valuation date.
16. From this level of rent, the Tribunal has made adjustments in relation to the following:
 - a) Disrepair, including rotten flooring in kitchen - £25.00

The full valuation is shown below:

Starting Rent	<u>£825.00pcm</u>
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Less

Items given under a) above	£25.00
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Open-Market Rent

£800.00pcm

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 her 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 because her children

are being returned to live with her and she has limited money and could not pay for food or gas.

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 £800.00 per calendar month with effect from 1 October 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.