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|  | <b>FIRST - TIER TRIBUNAL<br/>PROPERTY CHAMBER<br/>(RESIDENTIAL PROPERTY)</b>                 |
| <b>Case Reference</b>                                                             | <b>MAN/00BY/MNR/2026/0172</b>                                                                |
| <b>Property</b>                                                                   | <b>Apartment 9, 8 Ibbotson's Lane,<br/>Liverpool, L17 1AL</b>                                |
| <b>Tenant</b>                                                                     | <b>David Rawcliffe</b>                                                                       |
| <b>Tenant's Representative</b>                                                    | <b>n/a</b>                                                                                   |
| <b>Landlord</b>                                                                   | <b>Ashbury Leaseholds Ltd</b>                                                                |
| <b>Landlord's Address</b>                                                         | <b>177 Rose Lane, Liverpool, L18 5EA</b>                                                     |
| <b>Landlord's Representative</b>                                                  | <b>n/a</b>                                                                                   |
| <b>Date of Application</b>                                                        | <b>30 March 2026</b>                                                                         |
| <b>Type of Application</b>                                                        | <b>Determination of an Open-Market Rent<br/>sections 13 &amp; 14 of the Housing Act 1988</b> |
| <b>Tribunal Members</b>                                                           | <b>Tribunal Judge Steer &amp; Mr J Faulkner<br/>FRICS</b>                                    |
| <b>Date of Decision</b>                                                           | <b>7 September 2026</b>                                                                      |
| <b>Rent Determined</b>                                                            | <b>£2,150.00 per calendar month</b>                                                          |
| <b>Date the new rent takes effect</b>                                             | <b>1 April 2026</b>                                                                          |

## **REASONS FOR THE DECISION**

### **Background**

1. On 27 February 2026, the Landlord served a notice under Section 13(2) (as amended) of the Housing Act 1988 (“Act”) which proposed a new rent of £2,200.00 per calendar month (pcm) in place of the existing rent of £2,100.00 pcm to take effect from 1 April 2026 (“Notice”).
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 an open-market rent (“Application”).
3. The Application was originally considered by the Tribunal, and a decision was made determining the market rent on 27 May 2026 (“Original Decision”). The Original Decision was subsequently set aside by the Tribunal on 4 June 2026 following receipt of the Landlord’s request for permission to appeal. The Original Decision was set aside on the basis that the Tribunal had not considered the Landlord’s submissions and/or evidence when it made the Original Decision. Under rule 51, the Tribunal was satisfied that it was in the interests of justice for the Tribunal to determine the market rent for the Property having considered both parties submissions.
4. The Tribunal directed that the Landlord’s submissions and attachments shall be accepted by the Tribunal and that the Tribunal will determine the market rent based upon both parties’ submissions. This decision has been made on this basis, and both parties submissions have been considered.
5. The assured tenancy commenced on 26 March 2019 for a fixed term of 6 months. The rental period is monthly.

### **Allocation of Repairs between Landlord and Tenant.**

6. 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.**

7. There are no service charges payable in respect of the Property which was let to the Tenant on an unfurnished basis.

## **Liability for Council Tax**

8. 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.**

9. None.

## **Hearing**

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

## **The Property**

11. The Property is a second floor flat in a modern luxury and gated purpose-built development which comprises 47 properties in 3 blocks (“Development”). The accommodation comprises three bedrooms, two bathrooms, an open plan lounge/kitchen/dining and separate WC and utility room.
12. The Property benefits from lift access, underfloor heating, an intruder alarm, an integrated sound system, a south-facing balcony, landscaped grounds with CCTV and secure underground car parking for two vehicles.
13. The Property is situated in the Greenbank area of Liverpool close to Sefton Park and amenities. Liverpool City Centre is located approximately 3 miles to the northwest.

## **Evidence**

14. The Tribunal considered the Application (with supporting evidence), the Landlord’s Rents 1A form dated 07 May 2026 and the Landlord’s bundle with exhibits 1-10 received by the Tribunal in response to the Original Decision.

### *The Tenant*

15. The Tenant provided two 3-bed comparables (with details of a further property cut off at the bottom of the page) showing rents of £1,200 pcm and £1,270 pcm.

### *The Landlord*

16. The Landlord provided the following comparables:

- a) Three recent lettings from November/December 2025 within the same Development and with identical floor plans. All three lettings achieved rents of £2,150 pcm.
- b) Three agreed rents following the service of s13 notices relating to properties within the same Development and with identical floor plans. The agreed rents ranged from £2,150 pcm to £2,300 pcm commencing from between April 2026 and August 2026.
- c) Three recent lettings from December 2025 to March 2026 within the same Development relating to smaller 2 bed properties with achieved rents ranging from £1,500 pcm to £2,000 pcm.
- d) A Rightmove report detailing properties advertised at the Development within the last 12 months. The properties advertised asking rents ranging from £1,675 pcm to £3,500 pcm and the report showed properties of various sizes ranging from 2 bed to 4 bed apartments.
- e) A Rightmove report detailing similar properties within 1.5 miles of the Property ranging from £1,800 pcm to £2,500 pcm and detailing properties of various sizes ranging from a studio apartment to a 4 bed apartment.

## **Determination and Valuation**

- 17. 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.
- 18. Relying on its own expertise and general knowledge of rental values in the area, and the comparables provided by both the Tenant and the Landlord, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £2,150 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. The Tribunal placed the greatest weight on the rents achieved by the new lettings in the Development with identical floor plans as detailed at paragraph 16(a) above when deciding the Market Rent.

19. The Tribunal assumes that the Property is in good condition. As such, no adjustments are warranted and the market rent is determined as below.

### **Decision**

20. Therefore, the Tribunal determines the market rent at £2,150 pcm with effect from 1 April 2026, being the date specified in the Notice.

### **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.