

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00BZ/MRA/2026/0101
Property	448 Watery Lane, St. Helens, WA9 3HL
Tenant	Jeannie Frances Roberts
Tenant's Representative	None
Landlord	Jack David Nash
Landlord's Address	9 Grafton Street, Warrington, WA5 1QB
Landlord's Representative	Brigitta Racey, Racey Estates Limited
Date of Application	2 August 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Judge S Wickham Mr H Thomas FRICS
Date of Decision	3 September 2026
Rent Determined	£680.00 per calendar month
Date of Valuation	7 August 2026
Date the new rent takes effect	7 September 2026

REASONS FOR THE DECISION

Background

1. On 4 June 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £700.00 per calendar month(pcm) in place of the existing rent of £600.00 pcm to take effect from 7 August 2026.
2. On 2 August 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 7 January 2023. 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. None.

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. None.

Hearing

8. Neither party requested an oral hearing or inspection. 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 two-bedroomed terraced house offering the following accommodation:

Property: A living room, kitchen, bathroom and two bedrooms

Outside: The evidence indicates a front forecourt/garden plus rear yard area accessed via a back door, although the bundle does not contain a formal description of the extent of any outdoor space.

The Property benefits from central heating and double glazing.

The Property is situated in a residential area of St Helens.

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 confirmed that she had provided flooring for the kitchen, hall and bathroom, and carpet for the stairs, landing and small bedroom. The Tenant also confirmed she had provided bathroom tiles. The Tenant declined to include any photographic or other evidence of this.
- b) The Tenant alleged the Property was in a poor condition and provided evidence of a letter from the Council, dated 28 May 2026, that identified a number of issues following an inspection of the Property. These issues included electrical socket provision, flooring defects, door leakage, bathroom defects, smoke alarm defects and fire escape window concerns.
- c) The Tenant alleged the rent increase was retaliatory and linked to failed possession proceedings.
- d) The Tenant acknowledged that the Landlord had carried out various works following the Council inspection, but asserted these were not done to a high standard and some items of general disrepair remained.
- e) The Tenant asserted the Property was opposite a Public House, which could be noisy.

12. The Tenant did not provide comparable rental evidence.

The Landlord

13. The Landlord made the following comments:

- a) The Landlord confirmed that while the council inspection did identify some works required to the Property, it was not in disrepair and it had carried out recent works including new vinyl flooring, windows and smoke alarms and no improvement notice was served.
 - b) The Landlord did not challenge that the Tenant had provided flooring for the kitchen, hall and bathroom, and carpet for the stairs, landing and small bedroom. The Landlord also did not challenge that the Tenant had provided bathroom tiles.
14. The Landlord provided six comparables in its reply to the Tenant's application. These comparables did not give the addresses of the properties in question. The Tribunal was not able to open one of the comparables (ref 88943682). The Tribunal considered two of the comparables were the same when it followed the URL links provided. Four comparables in total were therefore provided by the Landlord to the Tribunal:

- a) Berrys Lane, St Helens WA9 – advertised rent of £775 pcm
- b) Edgeworth Street, St. Helens, WA9 – advertised rent of £750 pcm
- c) Orville Street, St. Helens, WA9 – advertised rent of £795 pcm
- d) Junction Lane, St. Helens, WA9 – advertised market rent of £700 pcm

Determination and Valuation

15. 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.

16. Relying on its own expertise and general knowledge of rental values in the area, and the comparables provided by the Landlord the Tribunal considers that the market rent of the subject Property assuming the Property was in a reasonable state of repair and condition would be in the order of £ 700.00 pcm. This is the rent we would expect the property to let for in the open market at the valuation date, taking into account it was opposite a public house and on a junction.
17. The Tribunal did not find the comparables provided by the Landlord to be very helpful, they were all asking, rather than achieved rents, a number of them being fully renovated properties, with new kitchen / bathrooms, and several having being on the market for some time.
18. Whilst the evidence indicates that certain remedial works were identified by the local authority, the Tribunal is not satisfied on the evidence before it that the condition of the Property justifies any further adjustment to the market rent. The Tribunal generally considers the evidence provided by both the Landlord and Tenant could have been more comprehensive. The Tribunal also finds the assertion that this is a retaliatory eviction not relevant to its determination as to the market rent of the Property.
19. From this level of rent, the Tribunal has made adjustments in relation to the following:
 - a) Improvements – although no photographic or other evidence of works carried out by the Tenant to the Property has been provided, In the absence of any challenge by the Landlord, the Tribunal accepts the Tenant's evidence that she funded and installed the flooring, carpets and bathroom tiles referred to in her application.

The full valuation is shown below:

Starting Rent	£ 700,00 pcm
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Less

a) Items given under a) above	£ 20.00
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Open-Market Rent	£680.00 pcm
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Decision

20. 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.
21. The Tenant has asked the Tribunal to fix a later starting date in this case. The Tenant says that she would suffer undue hardship because she is a single mother in receipt of benefits which only cover rent up to £525 per month. The Tenant also states that she works 30 hours per week at minimum wage.
22. The Landlord did not respond to the Tenant's application for postponement due to hardship.
23. The threshold for demonstrating undue hardship is high. The Tenant has produced no evidence, such as bank statements, to support their submissions. 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.
24. The Tribunal determines the new rent amount at £680.00 per calendar month with effect from 7 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.