

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00BR/MNR/2026/0175
Property	144 Delaney Heights, Cannon Street, Salford M3 6FE
Tenant	Tamer Afifi Salama
Tenant's Representative	
Landlord	The Guinness Partnership
Landlord's Address	Bower House, 1 Stable Street, Chadderton Hollinwood, Oldham
Landlord's Representative	
Date of Application	25 March 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Tribunal Judge Angela Davies Tribunal Member Aisling Ramshaw MRICS
Date of Decision	11 September 2026
Rent Determined	£170.21 per week
Date the new rent takes effect	6 September 2026

REASONS FOR THE DECISION

Background

1. On 23 February 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £170.21 per week place of the existing rent of £162.41 per week to take effect from 6 April 2026.
2. On 25 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 a market rent.
3. The assured tenancy commenced on 7 November 2016. The rental period is a week.

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, curtains and white goods specified below) and the costs relating to the same.

5. None

Liability for Council Tax

6. The Tenants are 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. The tenancy was granted as an affordable rent tenancy, and the tenancy terms include the calculation to be used to apply annual rent increases.

Inspection/Hearing

8. The Tribunal arranged an oral hearing. The Tribunal has considered this case on the basis of evidence and representations at the hearing, the papers provided by the parties and its own knowledge and specialist expertise.

The Property

9. The Tribunal was not asked to inspect the property and did not consider it necessary to do so in order to determine the market rent.
10. The Property is a one bedroomed 14th floor flat with uPVC double glazing and central heating. The kitchen and bathroom were modernised and in good condition at the outset of the tenancy. The Tenant did not have any issues regarding the condition of the Property, but made the point that comparable rents should be rents for flats in a standard residential block, and should not include the higher rents charged for flats which have been benefit of luxury facilities such as laundry, gym, office spaces etc.

Evidence

11. Both the Tenant and the Landlord returned the Tribunal's Reply forms. Neither party provided the Tribunal with any open market rent comparables.

The Tenant.

12. The Tenant made the following comments:

The landlord advertised a similar one bedroomed flat (unfurnished) on the ground floor of the building at the beginning of March 2026 at a rent of £152.82 per week. There should be no discrepancy between that rent and the rent for his flat.

The Landlord collected the proposed increased rent from 6 April 2026 despite this application to the Tribunal.

The Tenant's enjoyment of the Property is adversely affected by the Landlord permitting pets to be kept in the flats, and drugs to be taken there. There is anti-social behaviour, fly-tipping, disturbance and noise, and complaints are not dealt with promptly.

The Landlord

13. The Landlord says that the rent applied to the ground floor flat in the same building is not relevant. The Property was let as an Affordable Rent property in accordance with the Landlord's funding arrangements and the governments requirements at the time. The rent for the Property has been set in accordance with the Affordable Rent regime and the Regulator of Social Housing's Rent

Standard. This allows for an annual increase equal to CPI plus 1% irrespective of the condition of the Property. Any suggestion of discrimination is denied.

It says further that advertised rents for new lets in their properties are not comparable to existing tenancies, whose rents increases are determined by regulatory limits rather than open-market advertising. The Landlord says “Market conditions may change over time, and where existing tenants receive annual increases in line with permitted guidelines while market rents remain static, this may result in some existing tenants paying a higher rent than newly let properties”.

14. At the hearing, Ms Frizzell representing the Landlord confirmed that rents of properties let as social housing are lower. She was unable to say in what circumstances an affordable tenancy had been offered to the Tenant, or whether the difference was explained to him at the time. She confirmed that the Property cannot now be changed to social housing, but that the Tenant is entitled to apply to the Landlord for a social housing tenancy if he wishes to do so.
15. The landlord refers to the Local Housing Allowance for a one bedroomed property which is currently £178.36 pw in the Central Greater Manchester area. The Landlord further says that there is no documentary evidence of hardship or loss of entitlement to benefits, and the Tenant has been referred to Universal Credit and Citizens Advice.

Determination and Valuation

16. The Tribunal is tasked with determining the current market rent of the property and its rent valuation is not subject to regulatory limits or the increases permitted by contract. However the Tribunal’s determination of the rent payable cannot be at a higher figure than the rent proposed by the Landlord in its notice of increase.
17. There is no evidence of disrepair at the Property. The statutory framework for the Tribunal’s assessment of market rent and rent payable does not allow for any consideration of equality or disability rights, but only allows the Tribunal to take into account any financial hardship which may be proved by the Tenant.
18. Relying on its own expert, general knowledge of open market rental values in the immediate area the Tribunal considers that the market rental of the subject Property would be in the region of £250 to £255 per week. This is the rent we would expect the property to let for in the open market as a standard tenancy without luxury features in the building.
19. Since the open market rent is higher than the rent proposed by the Landlord, the proposed rent, which has been calculated in accordance with the tenancy agreement, is the rent payable.

Market rent

£250 pw

Rent payable

£170.21 pw

Undue hardship

20. The new rent takes effect from the date specified in the Landlord's Notice of Increase 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 the date a Tribunal makes its determination.
21. The Tenant has asked the Tribunal to fix a later starting date because he is in receipt of benefits due to poor health and he believes that the increase in rent will reduce the transitional protection element of the Universal Credit he receives by the same amount as the increase in rent, resulting in a cost to him of about £67 per month.

The Tenant did not produce documentary evidence of the Universal Credit that he receives. He told the Tribunal that the Landlord has been collecting the proposed increase in rent since 6 April 2026, and that he is currently approximately £179 in arrear with his rent.

22. As the proposed rent is lower than the Local Housing Allowance the Tribunal considers that at least part of the increase will be met through the Tenant's Universal Credit payments. The Tenant confirmed that he had not asked the benefits office about this. The Tribunal has no information as to the date from which any increased benefits may be payable but in order to ensure so far as possible that there is no hardship to the Tenant the start date of the new rent is to be 6 September 2026.

Decision

23. Therefore, the Tribunal determines the market rent at £170.21 per week with effect from 6 September 2026.

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.