

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/00CR/MNR/2026/0001
Property	18 Halesby Court, 2 Laurel Lane, Halesowen, B63 3DG
Tenant	Jideofo Okolia
Tenant's Representative	None
Landlord	Be Home Properties (Holding) Ltd.
Landlord's Address	8 Westwood House, Westwood Park, Droitwich, WR9 0AD
Landlord's Representative	Aaron & Partners, Solicitors
Date of Application	17 November 2025
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	I.D. Humphries B.Sc.(Est.Man.) FRICS S. Sohota
Date of Decision	10 September 2026
Rent Determined	£900.00 per calendar month
Date the new rent takes effect	10 September 2026

REASONS FOR THE DECISION

Background

1. On 14 November 2025 the Landlord served notice under Section 13(2) of the Housing Act 1988 proposing a new rent of £925.00 per calendar month (pcm) in place of the existing rent of £695.00 pcm to take effect on 28 December 2025.
2. On 23 December 2025, under section 13(4)(a) of the Housing Act 1988, the Tenants referred the Landlord's notice proposing a new rent to the Tribunal for determination of a market rent.
3. The assured tenancy commenced on 28 January 2022 for a term of 6 months at a rent of £695.00 pcm.

Allocation of Repairs between Landlord and Tenant.

4. In accordance with 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 paying Council Tax. The rent determined is exclusive of Council Tax.

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

7. There are no unusual terms as far as we are aware.

Inspection/Hearing

8. Neither party requested an oral hearing. The Tribunal has considered the case based on the parties' submissions and its own general knowledge and expertise.

The Property

9. The Property comprises a first floor flat in a development of 30 flats built in 2020 designed as four blocks with a communal parking area. The property is located in a convenient position near Halesowen town centre within reach of local facilities and bus routes.
10. The accommodation comprises an open plan living room / kitchen, two bedrooms, one of which has an en-suite, and bathroom. The landlord provides central heating, double glazing, white goods, carpets and curtains.
11. The landlord maintains the grounds and common parts.

Evidence

The Landlord and Tenant both sent written submissions.

11. *The Tenant*
The tenant's main objection was that the rate of the proposed increase of 33% was too high and disproportionate. The tenant questioned whether adequate notice had been given by the landlord. The tenant had offered to negotiate but the landlord had not responded which was considered unreasonable as the rent had been paid on time. In the tenant's view, the proposed rent was unjustified and not based on principles of fairness, proportionality or reasonable conduct.
12. It was submitted that the landlord's evidence was not a fair reflection of the market rent as it was based on asking rents of flats advertised on the internet that may not have been achieved. Some of the flats offered as evidence were not comparable as they benefitted from different amenities and locations. They were also in better condition than the subject flat that had not upgraded or redecorated by the landlord during the four years of the tenancy.
13. The tenant questioned whether the landlord's comment that all the other tenants served with a rent increase notice had accepted because there was no information regarding the percentage of increase they were asked to pay or the number of tenants affected.
14. The proposal was unreasonable as it was just under £3,000 annually.
15. In summary, the tenant considered a reasonable rate of increase to be between 10-12%.

16. *The Landlord*

The Landlord supported the requested rent by referring to 3 flats advertised on the internet at rents ranging from 875 to 995 pcm. Furthermore, all the other tenants served with a notice had agreed the proposal and it was only the Applicant who was objecting.

17. The landlord considered the proposal to be in line with market rents and the existing rent to be below market value.

18. Having taken professional advice, they were proposing increases for the existing tenants of one bedroom apartments in the development of £795 pcm and two bedroom apartments, £925 pcm. It was said that when vacant flats came to the market they were advertised at £850 pcm for one bedroom units and £1,000 pcm for two bedrooms.

Determination and Valuation

19. The Tribunal has not inspected the premises but relies on the detailed submissions of the parties and its general knowledge of market rents in the area.

20. The Tribunal agrees the present rent is below the market rate, as do the parties. However, the Tribunal's duty is to assess the market rental value rather than percentage rate of increase and having assessed the evidence, considers this to be £900 pcm.

Undue hardship

21. The tenant claims the proposed increase would cause undue hardship, particularly if the increase were back dated to 28 December 2025. The Tribunal agrees and determines the effective date of increase to be the date of its determination, 10 September 2026, in accordance with s.14(7) of the Housing Act 1988.

Decision

22. The Tribunal determines the market rent under section 14 of the Housing Act 1988 at £900.00 per calendar month with effect from 10 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.