

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/00HB/MRA/2026/0071
Property	Flat 4 Ashbourne House, Fishponds Road, Eastville, Bristol BS5 6SH
Tenant	Miss Lemain Wallace-Charles
Tenant's Representative	-
Landlord	Ms Frances Vivian Geb Wassermann Bildner
Landlord's Address	46 Pembroke Road, Bristol, BS8 3DT
Landlord's Representative	-
Date of Application	13 August 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	W H Gater FRICS (Chair) Ms S Johnson (Member)
Date of Decision	17 September 2026
Rent Determined	£1,200 per calendar month
Date of Valuation	29 August 2026

Date the new rent takes effect	29 September 2026
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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 £1,400 per calendar month(pcm) in place of the existing rent of £ 1,200 pcm to take effect from 29 August 2026.
2. On 13 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 28 July 2024. The rental period is monthly.

Allocation of Repairs between Landlord and Tenant.

4. As per section 11 of the Landlord and Tenant Act 1985.

Liability for Council Tax

5. The Tenant is responsible for the payment of Council Tax in respect of the Property. The rent determined is exclusive of Council Tax.

Hearing

6. 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

7. The Property is a first-floor flat forming part of a modern four storey development, offering the following accommodation:

First Floor: Hall, Living Room, Two Bedrooms Bathroom/WC.

From the EPC provided the floor area is noted to be 59m² and the flat is fully double glazed.

The Property is situated in a block on the junction of Fishponds Road and Stapleton Road, in the Eastville area of Bristol.

Evidence

8. The parties completed the relevant MR1 (tenant), MR2 (landlord) and MR3 (tenant's reply) with associated documents.

The Tenant

9. The tenant states that since approximately 2023, the original central heating system was removed and replaced with a hot water cylinder, leaving only portable electric heaters to heat the property.
10. The tenant says this caused excessive electricity costs and reduced the property's rental value. The current energy rating of D was assessed when the flat had central heating and would be much lower now without heating and render the flat unlettable.
11. On 31 July 2026, Bristol City Council issued a Schedule of Works requiring:
 - Installation of suitable fixed wall-mounted heating in bedrooms, bathroom and lounge/kitchen.
 - Replacement of bath seal.
 - Repair of threshold carpet.
12. The works were to be completed by 30 September 2026.
13. The Tenant provided the following comparables advertised as at August 2026:
 - Hudds Vale Road, Bristol BS5, 2-bed flat, £1,250 pcm.
 - Chester Street, Eastville BS5, 2-bed flat, £1,300 pcm
 - Gilbert Road, Redfield BS5, 2-bed property, £1,350 pcm.
 - Fishponds Road, Eastville BS5, 2-bed flat, £1,350 pcm.
 - Fishponds Road, Eastville BS5, 2-bed apartment over a shop, £1,200 pcm.

The Landlord

14. The Landlord states the current rent is £1,200 pcm and not £1,095 pcm as claimed by the Tenant.
15. They state that there has been work on infrastructure upgrades: on 18 August 2026, five fixed electric heaters were installed at a cost £2,500.

16. Associated repairs to flooring and bathroom fittings were carried out.
17. The Landlord provided comparables as follows:
 - a) Flat 7 Ashbourne House, BS5, £1,400 pcm. From January 2026.
 - b) Flat 9 Ashbourne House, BS5, £1,450 pcm. From March 2026.
 - c) They submitted that the local market spread of rental values as £1,350-£1,500 pcm.

Determination and Valuation

18. 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.
19. The Landlord's assertion that the current rent is £1200 pcm is contradicted by the tenancy agreement which states that this is £1095 pcm. The disagreement over the level of rent passing is not relevant to that consideration of market rental value.
20. The Tribunal is required to determine the rental value at the date of the proposed increase which was 29 August 2026. At that date, the parties agree that electric heating had been installed. The Tenant states that this was done on 18 August 2026. Photographs provided show individual wall mounted electric Dimplex heaters. Relatively minor works to the bath edge and floor finish had been completed in compliance with the EHO requirements.
21. The Tribunal accepts that the replacement of the original central heating system with individual wall-mounted electric heaters adversely affects the rental value of the Property. A prospective tenant would reasonably regard the absence of a conventional central heating system as a disadvantage when compared with similar modern two-bedroom flats. The Tribunal also accepts that electric heating is likely to result in higher running costs and therefore be less attractive to prospective tenants. The Tribunal notes that concerns regarding heating provision formed part of the matters identified by Bristol City Council in its Schedule of Works and that the installation of wall mounted electric heaters was in response to this. Taking these matters into account, the Tribunal considers that an adjustment to rental value is required.

22. The comparable lettings in the block submitted by the Landlord provide evidence of rental value. From publicly available data the EPC recorded area for flat 7 is 41 m² and for flat 9 it is 63m². Flat 4 is 59m².
23. The Tenant's comparables range from £1,200 to £1,250. The Tribunal considers the lower-valued examples to be inferior to the subject Property; one being situated above a shop. Others range from £1,300 to £1,350 pcm.
24. The tone of rents for comparable properties provided by the parties is in the region of £1,350/£1,400 pcm for 2-bedroom flats in the area, with due account being taken that the Landlord demonstrates actual lettings at £1,400 pcm in this block.
25. Relying on its own expertise and general knowledge of rental values in the area, and the comparables provided by the Landlord and Tenant, the Tribunal considers that the market rent of the subject Property, with full central heating, modernised and in good order, would be in the order of £1,400 pcm. This is the rent we would expect the property to let for in the open market at the valuation date and if it was in the general condition and with facilities as expected by the market.
26. From this level of rent, the Tribunal has made an adjustment in relation to the lack of the usual central heating system.
 - a) Absence of a central heating system - £200 pcm

The full valuation is shown below:

Starting Rent	<u>£ 1,400</u> pcm
<u>Less</u>	
a) Items given under a) above	-£ 200pcm
Open-Market Rent	£ 1,200 pcm

Undue hardship

27. 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.

28. The Tenant indicated that they would suffer undue hardship if the rent were increased. There is a shortfall between the rent due and housing benefit.
29. The Landlord states that the debt incurred for utilities is unrelated to market value. The large bill demonstrates that there has been an operational heating system in place.
30. The threshold for demonstrating undue hardship is high. The Tenant has produced some evidence to support their submissions, but after due consideration, the Tribunal finds that that threshold has not been surpassed. On the basis of the evidence provided, and the determination of rent in this case, the Tribunal considers that for the determined rent to take effect from the date the Tribunal makes its determination would not cause undue hardship. Accordingly, it does not fix a later starting date.

Decision

31. The Tribunal determines the new rent amount at £ 1,200 per calendar month with effect from 29 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.