

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/00HC/MNR/2026/0116
Property	Flat 4, 11 Gordon Road Weston-Super-Mare Avon BS23 3BD
Tenant	Tareq Salem and Hadeel Almarbai
Tenant's Representative	None
Landlord	Marbagege Ltd
Landlord's Address	1 Meadlake Place Thorpe Lea road Egham Surrey TW20 8HE
Landlord's Representative	Ms Southall of Haart Lettings
Date of Application	24 th April 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	I R Perry FRICS S Johnson
Date of Decision	23rd September 2026
Rent Determined	£737.50 per calendar month
Date of Valuation	29 th April 2026
Date the new rent takes effect	29 th April 2026

REASONS FOR THE DECISION

Background

1. On 17th March 2026 the Landlord's Agent served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £775 per calendar month (pcm) in place of the existing rent of £ 700 pcm to take effect from 29th April 2026.
2. On 24th April 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 29th April 2024. The rental period is monthly.

Validity Of Notice – Section 13B of the Housing Act 1988

4. In their application form, the Tenants indicated that they consider the Landlord's notice to be valid.

Allocation of Repairs between Landlord and Tenant.

5. 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.

6. None

Liability for Council Tax

7. 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.

8. None

Hearing

9. A hearing was held on 23rd September 2026 at 2 pm by video platform. The Tribunal has considered this case on the basis of an oral hearing, the papers provided by the parties and its own knowledge and specialist expertise.
10. These reasons address the key issues raised by the parties. They do not recite each and every point referred to either in submissions or during any hearing. However, this does not imply that any points raised, or documents not specifically mentioned were disregarded. If a point or document was referred to in the evidence or submissions that was relevant to a specific issue, then it was considered by the Tribunal. The Tribunal concentrates on those issues which, in its opinion, are fundamental to the application.

The Property

11. The Property is described as a small first floor flat and is within a building containing 5 flats, itself in a residential area close to the centre of Weston-super-Mare.
12. The accommodation comprises a living room, kitchen, bedroom and bathroom with WC. There is no outside space or parking.
13. The flat has gas-fired central heating and double-glazed windows. Flooring, curtains and a cooker are provided but the Tenants provide a washing machine and fridge/freezer.

Evidence

14. The Tenants completed the relevant Rents 1 Form and provided some photographs of the flat. Neither the Landlord nor its Agent provided any written submission.

The Tenant

15. The Tenant made the following comments:
 - a) The flat is small.
 - b) Some mould affects the living room and bedroom.
 - c) There is peeling paintwork in some rooms and a yellow stained ceiling in the living room.
 - d) There is little or no sound insulation between Flat 4 and the flat above. The Tenants experience noise from the flat above and state that sound transmission between the two flats is such that activities within Flat 4 can also be heard by the occupiers of the flat above.

- e) During the Hearing Mr Salem referred to rents of a number of similar properties in the same building and nearby and suggested that an increase of 5% was the maximum that the Tribunal should determine.

The Landlord

- 16. The Landlord's Agent had not submitted any written evidence that could be fairly assessed and questioned by the Tenants or the Tribunal.
- 17. During the Hearing Ms Southall and Ms Neggers (a director of the Landlord Company) made the following comments:
 - a) Even at a rent of £750 pcm the flat will be let at a rent below similar properties in the area.
 - b) A similar sized 1-bedroom flat had been let in May 2026 for £850 pcm.
 - c) Ms Neggers told the Tribunal that 11 Gordon Road is a noisy building. The Landlord has renewed floorboards, laid new flooring, comprising of some carpets and some vinyl in the flat above but there is no sound insulation above Flat 4.

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. Relying on its own expertise and general knowledge of rental values in the area, the particular size of the Property and the comparables provided by the Landlord and Tenants, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £ 875 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 same general condition as the comparable properties including having carpets, curtains and basic white goods provided by the landlord.
- 20. From this level of rent, the Tribunal has made adjustments in relation to the following:
 - a) A reduction of 10% to reflect the noise issues.

- b) The Tribunal has made an allowance to reflect the Tenants' provision of a washing machine and fridge freezer.
- c) General wants of repair relating to decoration and mould.

The full valuation is shown below:

Starting Rent			<u>£ 875</u> pcm
<u>Less</u>			
a)	Items given under a) above	£ 87.50	
b)	Items given under b) above	£ 20.00	
c)	Items given under c) above	£ 30.00	<u>£ 137.50</u> pcm
Open-Market Rent			£ 737.50 pcm

Decision

21. Pursuant to section 14 of the Housing Act 1988, the Tribunal determines that the rent the Property might reasonably be expected to achieve in the open market is £737.50 per calendar month, with effect from 29 April 2026, the date specified in the Landlord's 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.