

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00CB/MNR/2026/0315
Property	Flat 8, Wellington House, Seaview Road, Wallasey CH45 4QN
Tenant	John Philip Wakerley
Tenant's Representative	
Landlord	Shoriel Investments Limited
Landlord's Address	c/o 90 Wallasey Road, Wallasey CH44 2AE
Landlord's Representative	DeyToDey Ltd
Date of Application	29 May 2026
Type of Application	Determination of a Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Tribunal Judge A Davies Tribunal Member A Hossain MRICS
Date of Decision	22 September 2026
Rent Determined	£500 per calendar month
Date the new rent takes effect	22 September 2026

REASONS FOR THE DECISION

Background

1. On 29 April 2026 the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £650 per calendar month (pcm) in place of the existing rent of £475 pcm to take effect from 1 June 2026.
2. On 29 May 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 15 December 2021 for an initial term of 12 months. The rental period is a calendar month.

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 electricity supply has been changed by the Landlord since April 2026 so that the Tenant now has a smart meter and can monitor his usage.

Inspection/Hearing

8. The tenant requested an inspection but the Tribunal did not consider an inspection necessary in order to reach a determination. The Tenant requested a hearing, which was agreed by the Tribunal. The Tenant represented himself at the hearing and the Landlord was not present or represented.

The Property

9. The Property is a one bedroomed under-eaves second floor flat above period commercial premises which contain, immediately below the flat, a gym open from 6 am to 9.30 pm and on the ground floor a music venue/bar whose beer garden is below the rear of the flat. The flat has two windows (bedroom and living room) with uPVC double glazing and is heated by three electric radiators plus a wall heater in the bathroom. There is no gas supply.
10. A bed, bedside tables, desk, chair, wardrobe, as well as white goods, floor coverings and blinds were provided by the Landlord.
11. Externally, there is no outside space.

Evidence

12. The Landlord did not return the Tribunal's Reply Form.

The Tenant.

13. The Tenant made the following comments:

There are high ceilings under the roof and the flat is difficult to heat. Healthy Homes have been involved because of the heating difficulties as well as damp/high humidity and concerns about ventilation. So far as the Tenant can see there is no insulation, which he says explains why heat escapes so quickly.

The Tenant replaced the shower head and toilet seat during the tenancy.

The Tenant reported water damage following a roof leak, issues with the plumbing at the kitchen sink, the condition of the front door, as well as the damp/mould/ventilation issues. He can hear water dripping behind the wall from the roof when it rains. He does not know where this goes, but finds the flat damp. He manages the broken pipe below the kitchen sink by propping up the joint.

The flat is very noisy from the gym below and the music venue on the ground floor.

The Tenant considers the correct rent for the property is £475.

The Landlord

14. The Landlord did not make any representations to the Tribunal.

Determination and Valuation

15. The Tribunal noted that the Tenant's evidence was uncontested. The Tribunal is aware of a one bedroomed flat currently for rent and assumed to be in tenantable repair in Seaview Road at an asking rent of £550. Relying on its own expert, general knowledge of rental values in the area, the evidence given at the hearing, and the documents provided the Tribunal considers that the market rental of the subject Property in view of its noisy location but modernised and in tenantable repair would be in the region of £500 pcm. This is the rent we would expect the property to let for in the open market if it was in the same general condition as the comparable properties including having white goods, floor coverings and curtains provided by the landlord.
16. From this level of rent, the Tribunal makes adjustments for the items of disrepair noted above.

Market rent	£550 pcm
Less :	£50
Rent payable	£500 pcm

Undue hardship

17. The new rent takes effect from date specified in the Landlord's notice, 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 on which the Tribunal makes its determination.
18. The Tenant has asked the Tribunal to start the new rent from a later date because of financial hardship. He says he was recently dismissed from his employment due to health problems. A rent increase would add significant financial pressure and the backdated increase will not be recoverable from the benefits office.
19. The Tribunal has taken this evidence into consideration and consequently provides for the new rent to start on the date of this determination.

Decision

Therefore, the Tribunal determines the market rent at £500 per calendar month with effect from 22 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.