

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/00CJ/MNR/2026/0141
Property	Apartment 60 Eldon View, Regent Centre, Gosforth, Newcastle Upon Tyne, NE3 3PW
Tenant	Wai Lam Lai
Tenant's Representative	n/a
Landlord	Gosforth Eldon Two Ltd
Landlord's Address	147 Stamford Hill, London, N16 5LG
Landlord's Representative	Mays Management
Date of Application	16 March 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Tribunal Judge Steer & Mr H Thomas BSc FRICS FCABE MEWI
Date of Decision	16 September 2026
Rent Determined	£950.00 per calendar month
Date the new rent takes effect	30 March 2026

REASONS FOR THE DECISION

Background

1. On 27 February 2026, the Landlord served a notice under Section 13(2) (as amended) of the Housing Act 1988 (“Act”) which proposed a new rent of £950.00 per calendar month (pcm) in place of the existing rent of £900.00 pcm to take effect from 30 March 2026 (“Notice”).
2. On 16 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 (“Application”).
3. The current tenancy commenced on 30 March 2025. The rental period is monthly.

Preliminary Issue

4. At the start of the hearing (details of which are at paragraph 11 below) a preliminary issue was dealt with regarding the documentation received by the Tribunal and the parties.
5. Firstly, the Tribunal checked that the Tenant had received all of the Landlord’s evidence which supported the Rents 1A form including the copy tenancy agreements relating to the development. The Tenant confirmed that he had received this information and the Tribunal was content to proceed.
6. Secondly, when considering the papers before the hearing, the Tribunal noted that the Tenant’s Rents 1B form, submitted on 6 May 2026, was blank. Tribunal staff confirmed that the form received was also blank, although the supporting information had been received. The Tenant believed that he had submitted a completed form but agreed that the hearing could proceed because the form itself contained no important information, provided that the supporting evidence had been received and considered. The Tribunal was satisfied that all parties had received that evidence and, as there were no objections, proceeded with the hearing.

Allocation of Repairs between Landlord and Tenant.

7. As per tenancy agreement and 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.

8. There are no service charges payable by the Tenant and the Property was let to the Tenant on a part-furnished basis with the white goods, oven/hob, bed, sofa and dining table provided by the Landlord.

Liability for Council Tax

9. The Tenant is 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.

10. None.

Hearing

11. The Applicant did not request an inspection of the Property or an oral hearing. In the Landlord's 1A reply form, an inspection of the Property was not requested but an oral hearing was requested. A hearing was held on 16 September 2026 at 10am by video platform. The Tenant and the Landlord's representatives, Mr Osbourne and Mr Schreiber of Mays Management attended the hearing remotely. The Tenant was assisted by Ms Liu-Braham, a Cantonese interpreter. 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.

The Property

12. The Property is a flat situated on the 7th floor of a modern flat development with a number of interlinked buildings and being originally built as offices and converted to residential use in relatively recent times, with the completion dates for the blocks varying. The development is located in Gosforth. The flat offers the following accommodation:

Internal: One bedroom, one bathroom, open plan living/kitchen/diner and a small laundry area.

Outside Communal areas and parking (not allocated)

The Property is situated in predominantly residential area convenient for a supermarket and Metro station.

Evidence

13. This decision addresses the key issues raised by the parties. It does not recite each and every point referred to either in submissions or during the 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.
14. The parties completed the relevant Rents 1 (Tenant), Rents 1A (Landlord) and the Tenant provided further evidence in support of his Rents 1B (Tenant) form.

The Tenant

15. The Tenant made the following comments relevant to the determination of a market rent for the Property in the Application, in supporting evidence and in oral submissions at the hearing:
 - (a) That the proposed rent increase is inconsistent with current market evidence. The market rent payable should be between £875 to £925 pcm based upon the comparable evidence provided to the Tribunal as detailed at paragraph 16 below.
 - (b) That he has lived in the Property for 4.5 years, has been a good tenant and pays his rent on time.
 - (c) That the market rents on the development are currently falling.
 - (d) An allegation that the Landlord's Representative has provided misleading information in their advertisements in relation to the EPC ratings and floor areas for the same size apartments within the development.
 - (e) That the toilet recently developed a potential fault which has now been repaired.
16. The Tenant provided 5 comparable 1-bed apartments in the same development as the subject Property which ranged from £875 pcm to £925 pcm. The comparables were advertised asking rent marketed by the same managing agents as the Landlord's agent. In support of his Rents 1B form the Tenant provided

further comparables in the same development ranging from between £875 pcm to £925 pcm (1 bed) and £1175 pcm to £1200 pcm (2 bed).

The Landlord

17. The Landlord made the following comments relevant to the determination of a market rent for the Property in their Rents (1A) form, the associated evidence and in their oral submissions at the hearing:
 - (a) That the comparables offered by the Tenant related to one-bed apartments within the development on lower floors and in older parts of the development. Apartments on the 7th floor are rented between £950 pcm and £1050 pcm.
 - (b) The Landlord had proposed a rent of £950 pcm (at the lower end of the achievable rent) having given consideration to the fact that the Tenant is a very good tenant.
18. The Landlord's Representative manages 256 apartments in the development and offered more than 20 comparable properties within the development. Most notable were the following:
 - (a) 61 Eldon View which is located next door to the subject Property was a new letting in March 2026 which achieved a rent of £1,000 pcm. The layout is slightly different to the subject Property but the overall size is virtually the same.
 - (b) 63 Eldon View which is located on the same floor of the development (although it faces the opposite direction) but is again a similar size one bedroom unit, was a new letting in April 2025 at £1000 pcm which was increased in April 2026 to £1,025 pcm via a s13 notice.

Determination and Valuation

19. 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.

20. Relying on its own expertise and general knowledge of rental values in the area, the rental evidence provided by both the Landlord and the Tenant and the oral submissions made by both parties at the hearing, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £950.00 pcm. A rent of £950 pcm is the rent we would expect the property to let for in the open market in good condition at the valuation date.
21. When considering the comparable properties provided by the parties, the Tribunal attributed the greatest weight to the achieved rents for 1-bed apartments on the same floor and of similar size as detailed at paragraph 18 above. The Tenant relied heavily on the next-door property (61 Eldon View) having been marketed for rent by the Landlord's agent at £900 pcm. This was disputed by the Landlord, and in any event, the Landlord was able to evidence an achieved rent by way of a new letting for this property at a rent of £1000 pcm in March 2026 – the same time as the valuation date. Whilst the Tenant's comparables were a useful indicator of the lettings in the development, the Tribunal preferred the Landlord's evidence given that they were achieved rents for properties of the same size and on the same floor as the subject Property.
22. The Tribunal has considered the Tenant's allegations that the Landlord has providing misleading information in their advertisements, however, save for an obvious error in the floor area of one advertisement, the Tribunal has not been provided with sufficient evidence to substantiate those allegations. The Tribunal therefore does not consider that they materially assist in determining the appropriate market rent. The Tribunal's task is to determine the open-market rent in accordance with section 14 of the Housing Act 1988. That requires the Tribunal to determine the rent at which the dwelling-house might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy. The assessment is therefore concerned principally with the rental evidence and the characteristics of the subject property and appropriate comparable properties. The Tenant has also drawn attention to differences in the EPC ratings of flats within the development. The Tribunal accepts that energy-efficiency characteristics may, where supported by evidence, be relevant to the assessment of market rent. However, the mere fact that flats of broadly similar size within the development have different EPC ratings does not, without further evidence, establish that the rental evidence relied upon by the Landlord is unreliable. Nor does the Tribunal consider that the Landlord can properly be treated as responsible for differences in EPC ratings which arise from factors outside the Landlord's control. The Tribunal has therefore considered the EPC evidence insofar as it is relevant to the characteristics and rental value of the subject property, but does not regard the differences identified by the Tenant as sufficient to undermine the comparable evidence in the absence of evidence demonstrating a material effect on the rent. Ultimately, the Tribunal has assessed

the evidence by reference to the statutory test in section 14 of the Housing Act 1988 and has attributed such weight as it considers appropriate to the individual comparables having regard to their relevance, reliability and comparability with the subject property.

23. With regards to adjustments to the market rent, the Tribunal has taken into account the fact that the Property is in a good condition. The Tribunal has reviewed the photographs of the Property appended to the Application which evidence the same. The Tribunal considered that the Tenant has had an issue with the toilet at the Property, however, given that this issue has been resolved (albeit on a temporary fix basis) and that the issue did not impact upon the functionality of the toilet, the Tribunal agree that no adjustments are warranted and the market rent is determined as below.

Decision

24. Therefore, the Tribunal determines the market rent at £950.00 pcm with effect from 30 March 2026, being the date specified in the 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.