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|  | <b>FIRST - TIER TRIBUNAL<br/>PROPERTY CHAMBER<br/>(RESIDENTIAL PROPERTY)</b>                 |
| <b>Case Reference</b>                                                             | <b>MAN/00BY/MNR/2026/0234</b>                                                                |
| <b>Property</b>                                                                   | <b>2 Castleford Street, Wavertree,<br/>Liverpool, Merseyside, L15 8JP</b>                    |
| <b>Tenant</b>                                                                     | <b>Kaye Estelle Sprenger-Johnson</b>                                                         |
| <b>Tenant's Representative</b>                                                    | <b>N/A</b>                                                                                   |
| <b>Landlord</b>                                                                   | <b>B.T.E.LTD</b>                                                                             |
| <b>Landlord's Address</b>                                                         | <b>97 Mount Pleasant, Liverpool,<br/>Merseyside L3 5TB</b>                                   |
| <b>Landlord's Representative</b>                                                  | <b>Address Properties Ltd</b>                                                                |
| <b>Date of Application</b>                                                        | <b>22 April 2026</b>                                                                         |
| <b>Type of Application</b>                                                        | <b>Determination of an Open-Market Rent<br/>sections 13 &amp; 14 of the Housing Act 1988</b> |
| <b>Tribunal Members</b>                                                           | <b>Judge L White<br/>Tribunal Member A Ramshaw FRICS</b>                                     |
| <b>Date of Decision</b>                                                           | <b>23 September 2026</b>                                                                     |
| <b>Rent Determined</b>                                                            | <b>£850.00 per calendar month</b>                                                            |
| <b>Date the new rent takes effect</b>                                             | <b>25 April 2026</b>                                                                         |

## **REASONS FOR THE DECISION**

### **Background**

1. On 23 March 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £950.00 per calendar month(pcm) in place of the existing rent of £495.00 pcm to take effect from 25 April 2026.
2. On 22 April 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 tenancy commenced 01 May 2018. The rental period is monthly.

### **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 and curtain and white goods specified below) and the costs relating to the same.**

5. No service charges were identified as part of or separately from the rent.
6. The Tenant stated in the application form that no furniture was provided by the Landlord.

### **Liability for Council Tax**

7. 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.**

8. None

### **Hearing**

9. The Tenant requested an oral hearing and the Tribunal issued directions dated 16 June 2026 that a hearing would take place remotely. Neither party attended the hearing.
10. Prior to the hearing the Landlord's agent had advised in an email to the Tribunal that the Tenant had vacated the Property and the hearing was no longer required. The Tribunal emailed the Tenant advising that a withdrawal form would need to be completed to withdraw the application. No withdrawal form was submitted. The application therefore still requires determination.
11. The Tribunal considered the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 ("the Tribunal Rules"), in particular Rule 3 – Overriding objective and parties' obligation to co-operate with the Tribunal and Rule 34 – Hearings in party's absence.
12. The Tribunal was satisfied that both parties had been properly notified of the hearing. Having regard to the overriding objective and Rule 34 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the Tribunal determined that it was in the interests of justice to proceed in the absence of the parties.
13. 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**

14. The Property is a three bedroomed terrace house. The Property comprises three bedrooms (one double bedroom and two smaller bedrooms), a bathroom, living/dining room, kitchen, hallway and a separate toilet. The Property has a small outdoor rear garden area.
15. The Property benefits from gas central heating and double glazing.

### **Evidence**

16. The Tribunal considered the Tenant's MR1 form, the Landlord's Rents 1A form and the Tenant's Rents 1B reply.

### **The Tenant**

17. The Tenant contends that the proposed rent of £950 per month is excessive for the following reasons: Property is an older Victorian terrace, long-standing issues with damp, mould, condensation and disrepair, delays in repairs and

maintenance, historic problems with boiler, cooker, extractor fan and doors, significant traffic, parking, noise and pollution issues because of nearby garages, pubs, funeral parlour and Airbnb accommodation, lack of amenities, poor broadband/mobile signal, Property is inferior to many marketed comparables and that the Property effectively forms part of a divided building and is not comparable with larger neighbouring houses.

18. In terms of rental evidence, the Tenant provided various screenshots of properties she states are similar to the Property. Bar two screenshots, the screenshots provided of various properties did not show how many bedrooms or bathrooms the property had. The tenant states in her evidence that the comparables are for 2 bedroom properties. The Tenant referred to the evidence for the property at 10 Waterloo Street, being a 2 bedroomed terrace with one bathroom. The rent was £450 pcm.

#### The Landlord

19. The Landlord, through its managing agent, contends that a market rent of £950.00 pcm is appropriate. The Rents 1A form referred to a Best Price Guide showing similar comparable properties but that was not attached to the Rents 1A form or covering email sent into the Tribunal. The Rents 1A form refers to 14 Castleford Street recently being let for £975 pcm but no further information is provided as to that property.

#### **Determination and Valuation**

20. The Tribunal is required by section 14 of the Housing Act 1988 to determine the rent at which the Property might reasonably be expected to be let on the open market by a willing landlord under an assured periodic tenancy, taking account of the terms of the existing tenancy (other than the rent), the condition of the Property and the respective obligations of landlord and tenant.
21. The Tribunal has considered all of the written evidence provided by the parties together with its own knowledge and experience of the local rental market. The Tribunal notes that neither party provided comprehensive comparable evidence.
22. The Tenant relied upon a number of online property listings and screenshots. The Tribunal attaches limited weight to this evidence. In most instances, insufficient information was provided regarding the size, accommodation, condition and tenancy terms of the properties relied upon. The Tribunal notes in particular that the Tenant's principal comparable at 10 Waterloo Street was

described as a two-bedroom property, whereas the subject Property provides three bedrooms and therefore cannot be regarded as a close comparison.

23. The Landlord contends that a market rent of £950.00 per calendar month is appropriate. However, the Tribunal notes that the Landlord's Rents 1A referred to comparable evidence and a Best Price Guide which were not provided to the Tribunal. Whilst reference was made to a letting at 14 Castleford Street at £975.00 per calendar month, insufficient details were supplied regarding the size, condition and accommodation of that property for the Tribunal to place significant reliance upon it
24. The Tribunal has also taken into account the Tenant's submissions regarding damp, mould, historic repair issues, noise and environmental factors affecting the Property. The Tribunal accepts that such matters are relevant to the assessment of market rent. However, the evidence indicates that remedial works have been undertaken and the Tribunal is not satisfied that the condition of the Property justifies a rent at or near the level contended for by the Tenant.
25. The Tribunal has therefore not found either party's comparable evidence to be sufficiently comprehensive or persuasive in determining the market rent. Considering all of the evidence before it, including the nature, size, location and accommodation of the Property, together with its own knowledge and experience of rental values for similar properties within the locality, the Tribunal determines that the rent at which the Property might reasonably be expected to be let on the open market is £850 pcm.

### **Open-Market Rent**

**£850.00 pcm**

### **Undue hardship**

23. The new rent takes effect from the date specified in the Landlord's notice of increase 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 a Tribunal makes its determination.
24. The Tenant asked the Tribunal to postpone the commencement date of any new rent on the basis that implementation of the higher rent would cause hardship. The Tenant referred to physical and mental health difficulties and submitted that she would not be able to afford a significant increase in rent or meet any backdated liability. The Tenant also referred to supporting assistance received from various organisations and indicated that medical information could be provided.

25. The Landlord did not provide any substantive response to the Tenant's request for a later commencement date and submitted no evidence directed specifically to the issue of hardship.
26. The Tribunal has carefully considered whether the application of the statutory effective date would cause undue hardship. Whilst the Tribunal accepts that the Tenant has described health and financial difficulties the Tribunal was not provided with evidence of income, expenditure, savings, liabilities, benefits or other financial information from which the extent of any hardship could properly be assessed.
27. In all the circumstances, the Tribunal is not satisfied on the evidence before it that implementation of the new rent from the statutory effective date would cause undue hardship. The Tribunal therefore declines to exercise its discretion to postpone the commencement date and determines that the new rent shall take effect from 25 April 2026.

### **Decision**

28. The Tribunal determines the new rent amount at £850.00 per calendar month with effect from 25 April 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 (rule 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.