

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	HAV/00ML/MRA/2026/0029
Property	Flat 29 Orchard House, Park View Road, Brighton and Hove BN3 7AW
Tenant	Faez Alabdali Hyam Al-Abdali Maath Alabdali
Tenant's Representative	n/a
Landlord	Mohammed Irfan Sayani
Landlord's Address	91 Shirley Drive, Hove BN3 6UE
Landlord's Representative	Houseen Lettings and Property Services
Date of Application	9th July 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Judge David Cowan – Chair Michael Ayres FRICS
Date of Decision	25th September 2026
Rent Determined	£1,700
Date the new rent takes effect	11th October 2026

REASONS FOR THE DECISION

Background

1. On 2nd July 2026, the Landlord served a notice under Section 13(2) (as amended) of the Housing Act 1988 which proposed a new rent of £1,800 per month in place of the existing rent of £1,700 per month to take effect from 11th September 2026.
2. On 9th July 2026, under Section 14(A3) of the Housing Act 1988, the Tenants referred the Landlord's notice proposing a new rent to the Tribunal for determination of a market rent.
3. The tenancy commenced on or around 11th September 2025. The rental period is monthly, rent payable on the 2nd day of each month.

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

4. In their application form, the Tenant agreed that the notice was 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 curtains and white goods specified below) and the costs relating to the same.

6. The Tenant states that no furniture is provided by the Landlord. The Tenant states that the Landlord provided a dishwasher.

Liability for Council Tax

7. The rent determined is exclusive of Council Tax.

Any other terms of the tenancy taken into consideration in determining the rent.

8. No other terms of the tenancy were taken into consideration in determining the rent.

Hearing

9. Neither party requested an oral hearing. The Tribunal has considered this case on the basis of the papers provided by the Tenant and the Landlord, and its own knowledge and specialist expertise.

The Property

10. The Property is a first floor flat, offering the following accommodation:

Property: two bedrooms, kitchen, lounge, bathroom and hallway

The property has gas central heating and double glazed windows.

The Property has a garden and space to park one car.

Evidence

11. The Tenants made the following comments:
 - a) The Tenants think the open market rent should be £1600 because new flats advertised on Rightmove are offered at that rental value.
 - b) In or around January 2026, there was water ingress into the flat, the damage not having been repaired. Two corridor light fittings cannot be used as a result.
 - c) The dishwasher has been out of service for a lengthy period.
12. There was no response from the Landlord.

Determination and Valuation

13. The Tribunal considered all the information provided.
14. The Tribunal considered that the evidence supplied by the Tenants supported their case regarding water ingress into the subject property and, in the absence of contrary evidence, accepted the Tenants' evidence regarding the dishwasher. The Tribunal considered that the property was in such a condition as to command market rent.
15. The Tribunal considered the comparables offered by the Tenant but considered that the descriptions of those properties were insufficient to demonstrate that they were comparables nor were they in the same area as the subject property.

16. Relying on its own expertise and general knowledge of rental values in the area, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £1,750 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.
17. From this level of rent, the Tribunal has made adjustments in relation to the following:
 - a) General condition of the property

The full valuation is shown below:

Starting Rent	<u>£1,750 pcm</u>
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Less

a) Items given under a) above		£50
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Open-Market Rent	£1,700 pcm
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Undue hardship

18. 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.
19. The Tenant has asked the Tribunal to fix a later starting date in this case. The Tenant says he will be caused undue hardship because he receives pension credit, pension guaranteed credit, and housing benefit such that an increase of £100 represents a significant financial burden.
20. As a result of our decision the rent will not increase. Accordingly, the Tribunal considers that the increase would not cause undue hardship and does not fix a later starting date.

Decision

21. Therefore, the Tribunal determines the market rent at £1,700.00 per calendar month with effect from 11th October 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.