

	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	MAN/30UG/MRA/2026/0080
Property	34 David Lloyd Way, Accrington, BB5 5FW
Tenant	Aaron Stead
Tenant's Representative	N/A
Landlord	The PRS REIT (LBG) Investments LLP
Landlord's Address	c/o Ascend Properties, Stafford Court, 145 Washway Road, Sale, M33 7PE
Landlord's Representative	Ascend Estates Ltd
Date of Application	24 July 2026
Type of Application	Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988
Tribunal Members	Judge L White Tribunal Member J Gittus MRICS
Date of Decision	6 October 2026
Rent Determined	£950.00 per calendar month
Date the new rent takes effect	11 October 2026

REASONS FOR THE DECISION

Background

1. On 20 May 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £960.00 per calendar month (pcm) in place of the existing rent stated in the notice to be £885.00 pcm to take effect from 11 August 2026.
2. On 24 July 2026, under Section 13(4)(a) 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 Parties stated the tenancy commenced 11 July 2022. 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 states in the application form that white goods are supplied as part of the tenancy. The Landlord states in the MR2 form that the kitchen has an oven/hob along with a dishwasher and fridge/freezer. The Landlord states the washing machine supplied is a washer dryer. Carpets, flooring and blinds also 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. Neither party requested an oral hearing. 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

10. The Property is a two bedroomed mid-terraced property with a small garden at the rear. The Property comprises two bedrooms roughly the same size, a bathroom, open plan kitchen and living area and downstairs toilet.
11. The Property has gas central heating and double glazed windows.

Evidence

12. The parties completed the relevant MR1 (tenant) and MR2 (landlord) and MR3 (tenant's reply).

The Tenant

13. The Tenant contends that the current rent of £885 per calendar month already exceeds the market rent for the Property and that the Landlord's proposed increase to £960 pcm is not justified by local market conditions. He submits that comparable two-bedroom terraced houses in Accrington are generally advertised at rents between £650 and £750 pcm and relies upon screenshots of rental advertisements which he says demonstrate the prevailing rental levels in the locality. He also refers to a larger three-bedroom terraced property with two bathrooms which was being advertised at approximately £900 pcm and submits that it is unreasonable for the subject property to command a higher rent than larger properties available locally.
14. The Tenant states that the rent has increased from approximately £700 pcm when he first occupied the Property to the proposed rent of £960 pcm. He disputes the Landlord's suggestion that the increase is in line with inflation or local market evidence. In his MR3 response he argues that the Landlord's evidence relies solely upon properties within its own portfolio and on the same development and does not represent the wider Accrington rental market. He submits that the Tribunal should place greater weight upon the rental evidence he has provided from the local area and determine a rent at or around the existing level of £885 pcm.

The Landlord

15. The Landlord maintains that the rent proposed in the section 13 notice, namely £960 pcm, represents the open market rent of the Property and remains the rent sought. The Landlord contends that the proposed increase is neither excessive nor punitive but is intended to align the rent with rents currently being achieved for comparable properties in the locality.
16. The landlord relies principally upon recent lettings and rent reviews achieved on the David Lloyd Way development.
17. Recent market lettings
 - A two-bedroom semi-detached house on David Lloyd Way, approximately 662 square feet and less than 70 metres from the subject property, let in July 2026 at £955 pcm.
 - A two-bedroom end-terrace house on David Lloyd Way, approximately 662 square feet and less than 60 metres from the subject property, let in July 2026 at £950 pcm.
18. Rent review evidence.

The Landlord also relied on a number of recent rent reviews on identical properties with the subject property on the same estate showing rents of £960 pcm. The reviews were completed on:

 - 21 July 2026;
 - 30 July 2026;
 - 31 July 2026;
 - 2 August 2026;
 - 7 August 2026; and
 - 11 August 2026.
19. The Landlord submits that these transactions demonstrate a consistent market level of approximately £955 to £960 pcm for comparable properties on the same development and therefore support the proposed rent of £960 pcm.
20. The Landlord submits that there is a limited supply of comparable properties available in the immediate area and that the best evidence of market rent is provided by recent lettings and rent reviews achieved on the same estate. It contends that those transactions demonstrate that rents of approximately £955 to £960 pcm are currently being achieved for substantially similar properties and that the proposed rent therefore reflects the market level.

Determination and Valuation

21. The Tribunal has considered all of the evidence before it, including the Tenant's MR1 and MR3, the Landlord's MR2, the documentary evidence supplied by the parties and the written submissions contained within the bundle.
22. The Tribunal is required to determine the rent which the Property might reasonably be expected to achieve if let on the open market by a willing landlord under an assured periodic tenancy, having regard to the assumptions required by section 14 of the Housing Act 1988. The Tribunal has therefore considered both the condition and characteristics of the subject property and the evidence as to prevailing market rents.
23. The Tribunal has considered the comparable evidence produced by both parties. The tenant relies upon a number of advertised rental listings said to relate to two-bedroom properties in Accrington and a larger three-bedroom property advertised at approximately £900 per calendar month. The Tribunal has considered that evidence but places limited weight upon it. The advertised properties are located elsewhere within the wider Accrington area and there is insufficient evidence before the Tribunal to establish that they are directly comparable to the subject property in terms of precise location, age, design, floor area, specification, condition, amenities or estate setting. Furthermore, the evidence comprises asking rents rather than rents actually achieved and therefore does not demonstrate the level at which the market has responded to those properties.
24. The Tribunal accepts that the Landlord's evidence is more persuasive insofar as it relates to properties situated on the same development as the subject property. Such properties are likely to be more closely comparable in terms of age, design, accommodation, specification and location. However, the Tribunal places little weight upon the rent review evidence. Whilst that evidence demonstrates the rents being charged within its own portfolio, those figures do not arise from open market transactions and are therefore of limited assistance in establishing the open market rent required by section 14.
25. The Tribunal considers that the strongest comparable evidence is the recent letting of a two-bedroom end-terrace house on David Lloyd Way at a rent of £950 per calendar month in July 2026. That property is substantially identical to the subject property in terms of type, location and accommodation and represents an actual open-market letting achieved shortly before the valuation date. The Tribunal considers this to be the best evidence available of the rent which the subject property would command if let on the open market. The Tribunal considers that the end-terrace property is more closely comparable to the subject property than the semi-detached letting relied upon by the Landlord and therefore provides the most reliable guide to market rent.

26. Having considered all of the evidence before it the Tribunal is satisfied that the market rent of the Property, assuming the statutory conditions required by section 14 of the Housing Act 1988 is £950.00 per calendar month.

Open-Market Rent

£950.00 pcm

Undue hardship

27. 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.
28. The Tenant has asked the Tribunal to fix a later starting date in this case. The Tenant contends that the proposed rent increase would cause him hardship. In his application he states that he is in receipt of Universal Credit and Personal Independence Payment and that the housing element of his Universal Credit is capped by the Local Housing Allowance, with the result that any increase in rent would have to be met from his own resources. The Tenant provided a screenshot relating to his Universal Credit entitlement in support of that contention.
29. The Tribunal has considered the Tenant's submissions and the documentary evidence provided. However, other than the screenshot relating to Universal Credit entitlement, no financial evidence was submitted. In particular, the Tribunal was not provided with evidence of the Tenant's income, expenditure, savings, liabilities, household outgoings, or any other information from which the extent of the alleged hardship could be assessed. Nor was sufficient evidence provided to enable the Tribunal to determine the impact which the proposed rent would have upon the tenant's overall financial circumstances.
30. Whilst the Tribunal accepts that the Tenant is in receipt of benefits and genuinely believes that the increase will cause financial difficulty, it is not sufficient merely to assert hardship. The burden remains on the Tenant to provide evidence enabling the Tribunal to assess whether the statutory test is met. On the evidence before it, the Tribunal is not satisfied that sufficient evidence has been provided to establish undue hardship.
31. Accordingly, the Tribunal finds that the tenant's application for a postponement of the effective date of the determined rent on grounds of undue hardship is not made out on the evidence provided.

Decision

32. Pursuant to section 14 of the Housing Act 1988, the Tribunal determines the market rent for the Property to be £950.00 per calendar month with effect from 11 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.

