	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/00CN/MNR/2026/0139
Property	16 Stoneton Grove, Birmingham, B29 5NT
Tenant	Hatem Abdalla Toqa Mousa
Tenant's Representative	N/A
Landlord	Patricia Kyeremaa
Landlord's Address	105 Strathleven Road, Brixton Hill, London, SW2 5JS
Landlord's Representative	Leaders Ltd
Date of Application	27 May 2026
Type of Application	Determination of a Market Rent under sections 13 & 14 of the Housing Act 1988
Tribunal Members	Judge Banks Tribunal Member Neil Atherton MRICS
Date of Decision	7 October 2026
Rent Determined	£1,300 pcm
Date the new rent takes effect	19 July 2026

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REASONS FOR THE DECISION

Background

1. On 17 April 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £1,360 per calendar month(pcm) in place of the existing rent of £1,295 pcm to take effect from 19 July 2026.

2. On 27 May 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 assured tenancy commenced on 19 July 2024 for a term of 24 months ending on 18 July 2026. 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 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. None

Inspection/Hearing

8. 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

9. The Property is a semi-detached house offering the following accommodation:

   3 bedrooms, 1 bathroom, 1 reception room and a kitchen

   Outside: There is a driveway providing off-street parking and a rear garden.

   The Property benefits from central heating and double glazing.

   The Property is situated in the Selly Oak area of Birmingham with good train and bus links to the city. It is also situated close to the University of Birmingham and Queen Elizabeth Hospital.

Evidence

10. Both the Tenants and the Landlord returned the Tribunal's Reply forms.

The Tenants

11. The Tenants made the following comments:

12. They contend that the landlord has not provided sufficient evidence to justify the proposed rent.

13. The tenants submit that the landlord's own valuation evidence undermines the proposed increase. They state that the valuation identifies a market rent in the range of £1,275 to £1,325 per calendar month and argue that the current rent of £1,295 already falls within that range. In their submission, the landlord's evidence does not support a rent of £1,360 per calendar month.

14. The tenants further contend that the landlord has failed to provide adequate comparable evidence. Although reference was made to a "Best Price Guide" and comparable properties, the tenants state that these documents were not disclosed. They submit that, without details of the comparable properties, including their location, size, condition, furnishing status and the basis upon which the rents were derived, the Tribunal is unable properly to assess the reliability of the comparisons relied upon by the landlord.

15. In relation to the condition of the property, the tenants maintain that the dwelling contains a number of dated and worn features and is not maintained to the standard of a recently refurbished property commanding a premium rent. They rely on photographic evidence which, they submit, demonstrates the actual

condition of the premises and should be taken into account when determining the market rent.

16. The tenants also argue that the landlord's reliance upon their rent payment history is of limited relevance to the issue before the Tribunal. While accepting that the rent has been paid on time, they submit that this does not assist in establishing the open market rental value of the property and does not demonstrate that the proposed increase is justified.

17. Accordingly, the tenants invite the Tribunal to reject the landlord's proposed rent of £1,360 per calendar month and to determine the rent at £1,250 per calendar month, or such other figure as the Tribunal considers appropriate on the evidence.

18. The following three comparables were provided by the Tenant. They consisted of screenshots from Rightmove listings. Two of the listings contained only a single photograph and the third contained three photographs. Aside from the number of bedrooms and bathrooms and the advertised rent, very little information was provided. There were no floorplans, dimensions or detailed particulars, and the limited photographs did not enable the Tribunal to assess adequately the size, layout, condition, specification or accommodation of the properties. As a consequence, the Tribunal was unable to determine fully the extent to which the properties were comparable to the subject Property and attached limited weight to them.

    a) A three-bedroom semi-detached house in Weoley Avenue with one bathroom and a driveway, advertised at £1,200 per calendar month. The property is approximately one mile from the subject Property.

    b) A three-bedroom semi-detached house in Northfield with one bathroom, advertised at £1,200 per calendar month. The property is approximately three miles from the subject Property.

    c) A three-bedroom semi-detached house in Bentley Grove with one bathroom, advertised at £1,250 per calendar month.

The Landlord

19. The Landlord made the following comments:

20. The landlord submits that 16 Stoneton Grove, Birmingham, West Midlands, B29 5NT is a spacious and well-presented family home situated in the popular residential area of Selly Oak. The landlord describes the property as providing generous internal accommodation, including well-proportioned bedrooms, a

reception room and a practical kitchen, together with the benefit of a private rear garden. It is further contended that the property benefits from a convenient location with access to local amenities, green spaces, public transport connections, major road networks, educational establishments and local employers.

21. The landlord places particular reliance on the popularity of the Selly Oak area, noting the property's proximity to the University of Birmingham, Queen Elizabeth Hospital, local amenities and transport links. It is submitted that the property is attractive to a broad range of prospective tenants, including families, professionals and healthcare workers, and that three-bedroom homes with private outdoor space remain in strong demand within the local rental market. The landlord states that properties of this nature are capable of attracting significant interest and achieving relatively short letting periods when marketed at an appropriate rent.

22. Having regard to the property's location, accommodation and the level of demand for comparable homes in the area, the landlord assesses the reasonable rental value of the property as being between £1,275 and £1,325 per calendar month.

23. The landlord also refers to the tenants' conduct during the tenancy, noting that rent payments have been maintained without any arrears and that the tenants satisfied the relevant referencing and affordability checks at the commencement of the tenancy. Whilst acknowledging the tenants' concerns regarding affordability, the landlord states that no evidence has been provided to demonstrate that the tenants have been unable to meet their rental obligations during the tenancy.

24. The Landlord relied upon a Best Price Guide prepared by a letting agent using properties advertised on Rightmove within a one-mile search radius. The guide contained more detailed information than the Tenant's comparables and identified a number of three-bedroom properties advertised between £1,200 and £1,349 per calendar month. However, the evidence remained subject to limitations. The guide generally provided only a single external photograph together with limited marketing particulars and did not include floorplans, measurements or comprehensive information regarding the size, layout or condition of the properties. The Tribunal was therefore unable to undertake a detailed comparison with the subject Property. Further, a number of the comparables were located outside the immediate locality of the subject Property or appeared to offer accommodation of a superior standard.

25. The Tribunal attached no weight to the Quinton Road, Harborne property as it was marketed as student accommodation in a different locality and was not directly comparable to the subject Property. In addition, the Tribunal had very

limited evidence regarding the condition of the subject Property, save for a small number of photographs relied upon by the Tenant in support of allegations of disrepair. The Tribunal therefore treated the remaining comparables as providing a useful indication of prevailing market rents but approached direct comparisons with caution.

a) Jiggins Lane. A three-bedroom terraced house advertised at £1,349 per calendar month.

b) Hemyock Road, Bournville. A three-bedroom semi-detached house advertised at £1,300 per calendar month.

c) Northfield Road. A three-bedroom semi-detached house advertised at £1,300 per calendar month.

d) Woodcock Lane, Northfield. A three-bedroom semi-detached house advertised at £1,300 per calendar month.

e) Strathdene Road, Selly Oak. A three-bedroom semi-detached house advertised at £1,300 per calendar month.

f) Durley Dean Road, Selly Oak. A three-bedroom semi-detached house advertised at £1,300 per calendar month.

g) Reservoir Road, Selly Oak. A three-bedroom semi-detached house advertised at £1,300 per calendar month.

h) Green Meadow Road. A three-bedroom semi-detached house advertised at £1,250 per calendar month.

i) Weoley Castle Road, Selly Oak. A three-bedroom semi-detached house advertised at £1,225 per calendar month.

j) Alwold Road, Selly Oak. A three-bedroom end-terrace house advertised at £1,200 per calendar month.

26. The Tribunal derived greatest assistance from those comparables located in Selly Oak and the immediate vicinity of the subject Property. Less weight was attached to properties situated in Bournville and Northfield, which are distinct localities and may command different rental values. The Tribunal also considered that several of the comparables appeared, from the limited information available, to be in a better condition, recently refurbished, or to provide greater accommodation than the subject Property. Taking the comparable evidence as a whole, the Tribunal found that three-bedroom houses in the locality were generally being marketed at rents between approximately £1,200 and £1,300 per

calendar month, with the highest figure of £1,349 per calendar month being achieved by a property described as newly refurbished

Determination and Valuation

27. The Tribunal has considered all of the evidence before it, including matters not expressly referred to in these reasons, and has given such weight to that evidence as it considers appropriate.

28. Relying upon its own expert and general knowledge of rental values in the area, together with the comparables provided by both parties, the Tribunal determines that the market rent of the Property is £1,300 per calendar month. The Tenant contended for a market rent of £1,250 per calendar month, whilst the Landlord sought a rent of £1,360 per calendar month. The Tribunal was not persuaded that either figure accurately reflected the market evidence before it. The Tenant's figure was supported by comparables to which the Tribunal attached limited weight due to the limited information available. Conversely, whilst the Landlord sought a rent of £1,360 per calendar month in the section 13 notice, the Landlord's own valuation evidence assessed the reasonable rental value of the Property at between £1,275 and £1,325 per calendar month.

29. The Tribunal found that the valuation evidence, together with the comparable evidence relied upon by the Landlord, to be of greater assistance than the figure proposed in the section 13 notice itself. The Tribunal had particular regard to those comparables located within Selly Oak and the immediate vicinity of the Property, several of which were advertised at £1,300 per calendar month. The Tribunal also took into account the desirability of the location, including its proximity to the University of Birmingham and Queen Elizabeth Hospital, together with good transport links to Birmingham City Centre and access to a wide range of local amenities and schools. Taking all relevant factors into account, the Tribunal concluded that £1,300 per calendar month most accurately reflects the rent which the Property might reasonably be expected to achieve on the open market.

30. The tenants rely on photographs which they say show a number of defects and maintenance issues within the Property, including a defective front door handle, two non-operational wall-mounted light fittings in the reception room, a loose and damaged letterbox, a broken bathroom door handle, and a non-functioning kitchen extractor fan. The tenants also contend that the photographs show poor finishing around certain fixtures and visible cabling within the kitchen.

31. Although the tenants assert that the issues shown in the photographs were reported to the Landlord, no documentary evidence has been provided in support

of that assertion. The Tribunal is therefore unable to make any finding as to whether the matters were reported or, if so, when notification was given.

32. The Tribunal is not satisfied that the photographs establish the defects alleged by the tenants. In relation to the wall-mounted light fittings, the images do not demonstrate that the fittings themselves were defective, as opposed to requiring replacement bulbs. Similarly, the photographs of the letterbox and bathroom door handle do not enable the Tribunal to determine the cause of the condition shown or whether it resulted from fair wear and tear or damage occurring during the tenancy. Nor do the photographs establish that the extractor fan was inoperative or that the kitchen contained unfinished areas as alleged.

33. Taking the evidence as a whole, the Tribunal is not satisfied that the photographs provide a sufficient basis upon which to make any deduction from the market rent to reflect the condition of the Property. Accordingly, no adjustment is made in respect of the matters shown in the photographs.

Market rent £1,300 pcm

Undue hardship

34. 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.

35. The Tenants have asked the Tribunal to fix a later starting date in this case. They say they will otherwise be caused undue hardship as any increase is due to cause hardship.

36. The Tribunal accepts that any increase in rent is likely to impact upon a tenant's finances. However, a finding of undue hardship requires evidence from which the Tribunal can assess the nature and extent of the hardship said to arise. No such evidence has been provided. The Tribunal notes that its determination increases the rent from £1,295 per calendar month to £1,300 per calendar month. In the absence of evidence establishing undue hardship, the Tribunal directs that the determined rent shall take effect from 19 July 2026.

Decision

37. Therefore, the Tribunal determines the market rent at £1,300 per calendar month with effect from 19 July 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.