	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**MAN/OOBQ/MRA/2026/0117**
Property	**26 Shawclough Road, Rochdale OL12 6LN**
Tenant	**David Robinson**
Tenant's Representative	
Landlord	**Dharmendra-Kumar Patel**
Landlord's Address	**30 Footwood Crescent, Shawclough, Rochdale OL12 6PB**
Landlord's Representative	**Martin & Co**
Date of Application	**16 July 2026**
Type of Application	**Determination of a Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Tribunal Judge A Davies** **Tribunal Member A Hossain MRICS**
Date of Decision	**5 October 2026**
Rent Determined	**£535 per calendar month**
Date the new rent takes effect	**14 October 2026**

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REASONS FOR THE DECISION

Background

1. On 21 May 2026, the Landlord served a notice under Section 13(2) of the Housing Act 1988 which proposed a new rent of £695 per calendar month (pcm) in place of the existing rent of £485 pcm to take effect from 14 August 2026.

2. On 9 August 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 assured tenancy commenced on 5 April 2022 for an initial period of one year. The rental period is a calendar month.

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, 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. There were no terms relevant to the level of rent.

Inspection and hearing

8. Neither party requested an inspection or hearing and the rent was determined on the basis of the papers.

The Property

9. The Property is an unfurnished one bedroomed flat on the ground floor above a shop on sloping terrain. The Property has uPVC double glazing. Heating was originally by wall mounted electric heaters which the Tenant replaced with an electric radiator and calor gas heater.

10. White goods, carpets and floor coverings were provided by the Landlord. The kitchen is a small area of the living room.

Evidence

11. Both the Tenant and the Landlord returned the Tribunal's Reply forms.

The Tenant.

12. The Tenant made the following comments:

I have reduced the shower cubicle height to fit a new shower enclosure. I have replaced light fittings and the space heaters.
I consider that a rent increase of £50 to £535 would be justified.
The flat lacks insulation. There is no gas supply. The flats above have wall insulation and gas. My electricity bill exceeds £150 per month in winter.
I supply comparable (asking) rents as follows
New Road, Dearnley £695 pcm – 2 bedroomed house
Casson Gate, Rochdale, OL12 £700 pcm – 2 bedroomed house.

I am aware of 1 bed flats with separate kitchens, double glazing and central heating, paying £400 pcm, £550 pcm and £580 pcm. In New Street very near the Property there are 10 new apartments for sale to rent, that remain unsold after being on the market for 10 months. The top floor flat above me was vacant for 3 months before a tenant was found.
The Landlord's comparables are for two bedroomed properties.

The rent should reflect the shortcomings of the Property.

The Landlord

13. The Landlord says –

The Tenant's comparables are not close enough to the Property. Shawclough is a desirable area.
Martin & Co manages the adjacent property at 3 New Street which has 2 bedrooms and pays £725 per month. We are about to request an increase to £775 pcm.

£695 is below market rate for a 2 bedroom property in Shawclough – all others on Martin & Co's books start at £850 pcm. In our view the market rent for the Property is £725 - £750.

Determination and Valuation

14. The Tribunal noted that the Landlord's representations as to rent referred only to two bedroomed properties and were therefore not comparable. Relying on the information provided by the parties and its own expert, general knowledge of rental values in the area, the Tribunal considers that the market rental of the subject Property modernised and in tenantable repair would be in the region of £575 pcm. This is the rent we would expect the property to let for in the open market if it was in good tenantable order including having white goods, floor coverings and curtains provided by the landlord.

15. From this level of rent, the Tribunal makes an adjustment for

    (a) the lack of insulation causing the property to be expensive to heat, and
    (b) the Tenant's improvements including replacement of the wall heaters found to be ineffective and the shower cabinet.

Market rent	**£575 pcm**
Less : (a)	£30.00
(b)	£10.00
Rent payable	**£535 pcm**

Undue hardship

16. The new rent takes effect from the start of the next rental period following the date of the Tribunal's 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 the date on which the Tribunal makes its determination.

17. The Tenant has asked the Tribunal to set a later start date because he receives universal credit and arrears will not be covered by his benefits. He has no money, he says, with which to pay any back rent.

18. The Tribunal does not have a schedule of income and outgoings from the Tenant. The Tenant is expected to be able to recover the rent increase from the benefits office from the start of the current payment period.

Decision

Therefore, the Tribunal determines the market rent at £535 per calendar month with effect from 14 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 (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.