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|  | **FIRST - TIER TRIBUNAL**<br>**PROPERTY CHAMBER**<br>**(RESIDENTIAL PROPERTY)** |
| **Case Reference** | **MAN/00CY/MRA/2026/0046** |
| **Property** | **5 Carrholme Court, Halifax, West Yorkshire, HX1 3PJ** |
| **Tenant** | **James Noon** |
| **Tenant's Representative** | **n/a** |
| **Landlord** | **Malcolm Robson** |
| **Landlord's Address** | **6 Dorper House, Beck View Way, Shipley, BD18 2FE** |
| **Landlord's Representative** | **Deborah Driscoll** |
| **Date of Application** | **20 August 2026** |
| **Type of Application** | **Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988** |
| **Tribunal Members** | **Tribunal Judge Steer & Mr Hossain MRICS** |
| **Date of Decision** | **18 September 2026** |
| **Rent Determined** | **£700.00 per calendar month** |
| **Date the new rent takes effect** | **01 August 2026** |

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## REASONS FOR THE DECISION

### Background

1. On 27 May 2026, the Landlord served a notice under Section 13(2) (as amended) of the Housing Act 1988 ("Act") which proposed a new rent of £700.00 per calendar month (pcm) in place of the existing rent of £450.00 pcm to take effect from 01 August 2026 ("Notice").

2. On 20 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 ("Application").

3. The tenancy commenced on 21 September 2016. 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. There are no service charges payable by the Tenant and the Property was let to the Tenant on an unfurnished basis.

### Liability for Council Tax

6. 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.

7. None.

### Hearing

8. The Landlord and Tenant did not request an oral hearing. The Landlord requested an inspection of the Property and, in the Application, the Tenant stated that he was not sure whether an inspection of the Property was necessary. By a decision with written reasons on 17 August 2026, the Tribunal determined that

it would make its determination of the market rent based on the evidence submitted before it and its own expert knowledge. Neither party requested that the decision be considered afresh and the Tribunal is satisfied that the matter can be determined on the papers without an inspection of the Property.

**The Property**

9. The Property is a modern 2-bedroom 3 storey townhouse located in the King Cross area of Halifax. The Property offers the following accommodation:

   Internal: Open plan kitchen/dining room, 2 bedrooms, 1 bathroom and ground floor WC.

   External: Garage.

   The Property benefits from gas centrally heating and UPVC doors and windows.

**Evidence**

10. The parties completed the relevant MR1 form (Tenant), MR2 form (Landlord) and MR3 (Tenant's reply).

*The Tenant*

11. The Tenant made the following comments relevant to the determination of a market rent for the Property in the Application and supporting evidence:

    (a) That the proposed rent increase of 57% is both unfair and unrealistic.

    (b) That the Property requires 'numerous repairs' which the Tenant has arranged himself as he has been unable to contact the Landlord directly for approximately the past 13 months.

    (c) That the Tenant has taken care of the Property by painting it and undertaking minor repairs including new carpets, light fittings, shower tiling and repairs to kitchen units and electric sockets.

12. The Tenant did not provide any comparable rental evidence.

*The Landlord*

13. The Landlord made the following comments relevant to the determination of a market rent for the Property in their MR2 form and associated evidence:

(a) That the current rent has not been increased since 2016 and it is below the open market rent when compared to comparable properties in the locality (as detailed at 14 below).

(b) The Landlord has not been notified of the majority of repairs referred to in the Application. Any repairs the Landlord has been notified of have been dealt with.

(c) Contact with the Landlord has been via the Landlord's representative since 2024 who has been in communication with the Tenant.

14. The following comparables were provided by the Landlord:

(a) A list of 14 two-bed and 3 one-bed properties in the Halifax area (HX1, HX3 and HX6) with rents ranging from £575 pcm to £1150 pcm.

**Determination and Valuation**

15. Under section 14(1) of the Housing Act 1988 (as amended), the Tribunal is required to determine the rent at which the Property might reasonably be expected to let in the open market by a willing Landlord at the beginning of the new period specified in the Landlord's notice. Relevant Tenant improvements or failure of the Tenant to comply with the terms of the tenancy are to be disregarded. Historic issues relating to the tenancy or the personal circumstances of the Landlord are not taken into account. The personal circumstances of the Tenant are only considered if an application for hardship has been made.

16. Relying on its own expertise and general knowledge of rental values in the area, the written submissions by the parties and the rental evidence provided by the Landlord, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £700.00 pcm. This is the rent we would expect the Property to let for in the open market if it was in the same general condition as the comparable properties relied upon by the Landlord.

17. The Tribunal considered the Landlord's comparables to be helpful but noted that the range of comparables provided varied considerably in property type, style, size, layout and overall accommodation. Less weight was attributed to the 1 bed comparables and the flats/apartments and more to the 2 bed houses in the HX1 area. Having regard to all of the information provided by the parties, the Tribunal considers that the appropriate open-market rent for the subject Property is £700 pcm.

18. With regards to adjustments to the market rent, the Tribunal finds that there is no substantive evidence of landlord neglect, disrepair or significant improvements at the Property. This has not been specified in any detail. The Tribunal also considered the type of works undertaken at the Property since the Tenant commenced his occupation of the Property in 2016. Accordingly, no adjustments are warranted and the market rent is determined as below.

## Decision

19. Therefore, the Tribunal determines the market rent at £700.00 pcm with effect from 01 August 2026, being the date specified in the Notice.

## 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 after 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.