| | |
|---|---|
|  | **FIRST - TIER TRIBUNAL**<br>**PROPERTY CHAMBER**<br>**(RESIDENTIAL PROPERTY)** |
| **Case Reference** | **MAN/00EC/MRA/2026/0111** |
| **Property** | **56 The Ridings, Middlesbrough, TS4 2WA** |
| **Tenant** | **Stephen Hamill and Nina Ersland** |
| **Tenant's Representative** | **None.** |
| **Landlord** | **Fitwide Limited** |
| **Landlord's Address** | **C/o 34 Myton Road, Ingleby Barwick, Stockton on Tees, TS17 0WG** |
| **Landlord's Representative** | **Punch Robson Solicitors** |
| **Date of Application** | **6 August 2026** |
| **Type of Application** | **Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988** |
| **Tribunal Members** | **Joe Fraser FRICS**<br>**Ransford Stewart MBE** |
| **Date of Decision** | **29th October 2026** |
| **Rent Determined** | **£1,100 per calendar month** |
| **Date of Valuation** | **7 August 2026** |
| **Date the new rent takes effect** | **7 November 2026** |

© CROWN COPYRIGHT

## REASONS FOR THE DECISION

### Background

1. On 29 May 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £1,100 per calendar month (pcm) in place of the existing rent of £750.00 pcm to take effect from 7 August 2026.

2. On 6 August 2026, under Section 14 (A3) of the Housing Act 1988, the Tenant referred the Landlord's notice proposing a new rent to the Tribunal for determination of an open-market rent.

3. The tenancy commenced on 7 October 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.

### Service Charges or furniture provided by Landlord (other than carpets and curtain and white goods specified below) and the costs relating to the same.

5. None.

### 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. 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 modern two storey detached house, offering the following accommodation:

   Property: four bedrooms, one living room, one dining room, one kitchen, three bathroom/wcs.

   Outside: Gardens and garage

   The Property benefits from gas fired central heating, double glazing and floor coverings throughout.

## Evidence

10. The parties completed the relevant MR1 (tenant) and MR2 (landlord) forms.

*The Tenant*

11. The Tenant made the following comments:

    a) The Tenant argues that the current rent of £750.00 pcm is reflective of the Market Rent and that the proposed increase is disproportionate due to the property's age, decorative condition, wear and tear, older fittings and unaddressed maintenance issues.

12. The Tenant did not provide comparable rental evidence.

*The Landlord*

13. The Landlord made the following comments:

    a) The Landlord argued that the property condition does not adversely affect rental value as alleged; maintenance issues have not been reported or have been dealt with promptly; the rent has remained at £750 since approximately 2016; Market Rents have risen substantially; and independent valuations support a rent of around £1,053 - £1,100pcm.

14. The Landlord provided four instant rental valuations from letting agents which give a range of £1,053 - £1,100pcm. The Belvoir valuation included comparable evidence of six lettings with a range of £895 - £1,500 pcm, within 0.1 – 0.8 miles of the subject Property and let between December 2024 and August 2026.

## 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, and the comparables 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 £1,200 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 including having floor coverings provided by the landlord. Having considered the Tenant's submissions regarding age, decorative condition and maintenance concerns, the Tribunal is not provided with sufficient evidence to justify a material deduction from the tone of rental value supported by the comparable evidence.

**Open-Market Rent** **£1,200.00 pcm**

## Undue hardship

17. 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.

18. The Tenant has asked the Tribunal to fix a later starting date in this case. The Tenant says they will be caused undue hardship because it would cause severe financial hardship and the proposed rent increase would exceed their manageable budget, forcing them to cut back on household living expenses and basic family necessities.

19. The Landlord did not respond to the Tenant's application for postponement due to hardship.

20. The threshold for demonstrating undue hardship is high. The Tenant has produced no evidence to support their submissions. On the basis of the evidence

provided, the Tribunal considers that for the increase to take effect from the date the Tribunal makes its determination would not cause undue hardship and does not fix a later starting date.

21. The Tribunal determines the new rent amount at £1,100.00 per calendar month with effect from 7 November 2026 which is the beginning of the first new period of the tenancy which begins on or after the date of the determination.

**Decision**

22. The Tribunal determines the new rent at the amount proposed by the Landlord of £1,100.00 per calendar month with effect from 7 November 2026 as this is lower than the open-market rent determined by the Tribunal.

## 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.