	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/00CN/MNR/2026/0085
Property	Flat 5, Wheatley Court, Jervoise Drive, Birmingham, B31 2XU
Tenant	Adam Hoo
Tenant's Representative	None
Landlord	Bournville Village Trust
Landlord's Address	350 Bournville Lane, Bournville, Birmingham, B30 1QY
Landlord's Representative	T. Edge (in-house Manager)
Date of Application	30 March 2026
Type of Application	Determination of a Market Rent under sections 13 & 14 of the Housing Act 1988
Tribunal Members	I.D. Humphries B.Sc.(Est.Man.) FRICS S. Sohota
Date of Decision	6 November 2026
Rent Determined	£104.46 per week
Date the new rent takes effect	7 November 2026

© CROWN COPYRIGHT

REASONS FOR THE DECISION

Background

1. On 22 February 2026 the landlord served notice under Section 13(2) of the Housing Act 1988 proposing a new rent of £104.46 per week (pw) in place of the existing rent of £99.68 pw to take effect on Saturday 4 April 2026.

2. On 30 March 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 tenant held an Assured Shorthold Tenancy granted on 21 July 2007 which became an Assured Periodic Tenancy under the Renters Rights Act 2025. The rent paid at the date of application to the Tribunal was £99.68 per week.

Allocation of Repairs between Landlord and Tenant.

4. In accordance with 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. None.

Liability for Council Tax

6. The Tenant is responsible for paying Council Tax. The rent determined is exclusive of Council Tax.

Any other terms of the tenancy taken into consideration in determining the rent.

7. There are no unusual terms as far as we are aware.

Inspection/Hearing

8. The Tribunal has not inspected the property. It relies on the parties' written submissions and its own general knowledge and experience.

The Property

9. The property is a second floor, self-contained flat in a purpose-built, three storey block. It is located on the popular Bournville Village Trust estate in Birmingham, a residential area about 5 miles south west of the city centre within easy reach of local schools, shops and transport facilities.

10. Wheatley Court is one of several similar blocks in the development, all post-War construction with brick elevations and pitched tile roofs. The accommodation of the subject flat comprises a living room, kitchen, bedroom and bathroom. There are lawns and communal parking areas around the development.

11. The property has central heating and double glazing. It was let unfurnished with no service charge.

Evidence

12. *The Tenant*
The tenant submitted that the flat had a relatively small kitchen and limited space. While acceptable for basic living, it did not offer the same level of space as other one bedroom flats available to let in the market.

13. In the tenant's view, the current market value was no higher than the present rent of £98.98 pw (equivalent to £428.91 per calendar month).

The Landlord

14. The landlord submitted that the rent was a 'social' rent, i.e. non-market rent calculated in accordance with Government requirements for Social Registered Landlords where the increase paid by the tenant was capped at the rate of increase in the September 2025 CPI plus 1%. This produced an increase to the requested £104.46 pw in their notice of increase. The landlord submits the social rent payable is comparable with other one bedroom flats in the locality.

Determination and Valuation

15. The Tribunal has not inspected the premises and relies on the submissions of the parties and its own general knowledge of market rents in the area.

16. Neither party provided any comparable evidence of rents achieved for flats of similar size in the area. The Tribunal accepts that the flat may not be large but the requested rent is at the lower end of the range based on our own experience. We therefore find the proposed figure fair for the purposes of s.14 of the Housing Act 1988.

Undue hardship

17. The tenant claims the increase would cause hardship but provided no evidence that it would cause 'undue hardship' for the purposes of s.14ZB(3)(c) of the Housing Act 1988. Accordingly, the Tribunal is not prepared to alter the effective date of increase beyond that prescribed by s.14ZB(3)(b) of the Housing Act 1988 as amended, which is the date of commencement of the next period of tenancy following its Decision, i.e. Saturday 7 November 2026.

Decision

18. The Tribunal determines the market rent under section 14 of the Housing Act 1988 to be £104.46 per week with effect from 7 November 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.