	FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)
Case Reference	BIR/17UG/MRA/2026/0042
Property	6 Milton Street, Ilkeston, Derby, Derbyshire DE7 8NX
Tenant	Garry Rose
Tenant's Representative	None
Landlord	Olajide Fatpki
Landlord's Address	47 Beamlight Road, Eastwood, Nottingham, NG16 3JG
Landlord's Representative	None
Date of Application	21 July 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	£840.00 per calendar month
Date the new rent takes effect	27 November 2026

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REASONS FOR THE DECISION

Background

1. On 11 May 2026 the landlord served notice under Section 13(2) of the Housing Act 1988 proposing a new rent of £875.00 per calendar month (pcm) in place of the existing rent of £800.00 pcm to take effect on 27 July 2026.

2. On 21 July 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 27 October 2023 which became an Assured Periodic Tenancy under the Renters Rights Act 2025.

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 traditional Victorian, two storey, mid-terraced house in a well established residential area about a mile north of Ilkeston town centre.

10. The accommodation comprises a living room, kitchen, two bedrooms and bathroom. It has no garage or off-street parking. It is set back from the pavement by a small paved area but effectively has no front garden. It has a back garden, presently overgrown, although the fact that it needs attention is disregarded as the tenant is required to keep it in repair.

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

Evidence

12. *The Tenant*
The tenant provided photographs of the interior showing flaking paint on the back bedroom wall due to damp ingress, damp affected plaster over window reveals and a loose electric isolator switch.

13. The tenant provided the following comparable rental evidence:

Albany Street	£750 pcm	Victorian mid-terrace
Gordon St.	£825 pcm	Victorian 2 bed mid-terrace
Little Hallam Hill	£850 pcm	Modern 2 bed semi-detached
Providence Place	£850 pcm	Modern 2 bed end-terrace

14. In the tenant's view, the current market rental value is £840 pcm.

The Landlord

15. The landlord provided a copy of a Photographic Schedule taken at commencement of the tenancy showing it had been in good condition when let.

16. The landlord provided the following comparable rental evidence:

Little Hallam Lane	£850 pcm	Victorian 2 bed mid-terrace
Malthouse Rd.	£875 pcm	Modern 2 bed mid-terrace
Granby Street	£900 pcm	2 bed end-terrace, newly refurbished
Holywell Rd.	£900 pcm	Modern 2 bed semi-detached with parking

Determination and Valuation

17. The Tribunal has not inspected the premises but relies on the submission received and its general knowledge of market rents in the area.

18. With regard to the condition, the Tribunal notes that the house had been in good condition when let and although somewhat cluttered in the photographs, the effects of the tenant's occupation are disregarded when assessing rent under s.14(2) of the Housing Act 1988. The tenant advises that the cause of damp ingress in the back bedroom was rectified by the landlord in February 2026 but the internal wall has not been redecorated, as seen in the photographs. Overall, the house appears in good condition.

19. The Tribunal notes the comparables provided by the parties and has weighed the evidence of each. The closest comparables are the terraced houses in Gordon Street advertised at £825 pcm, Little Hallam Lane at £850 pcm and Albany Street at £750 pcm. Some, such as Holywell Road, Malthouse Road and Little Hallam Hill are more modern and not very comparable to Victorian terraced housing.

20. Overall, we find the rental value of the subject house to be £840.00 pcm.

Undue hardship

21. The tenant claims the increase would cause hardship as he is on a minimum wage. However, 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 the tenancy on 27 November 2026.

Decision

22. The Tribunal therefore determines the market rent under section 14 of the Housing Act 1988 to be £840.00 per calendar month with effect from 27 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.