FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	:	BIR/00FK/MNR/2026/0162
Property	:	Flat 6, 34 Leopold St., Derby, DE1 2HF
Applicant	:	Ross Brown ('Tenant')
Respondent	:	Mahboob Ahmed ('Landlord')
Type of Applications	:	Determination of Market Rent under sections 13 & 14 of the Housing Act 1988
Tribunal Members	:	I.D. Humphries B.Sc.(Est.Man.) FRICS S. Sohota
Date	:	6 November 2026

DECISION

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Background

1 The tenant contests the validity of the landlord's notice of rent increase.

Law

2 Under section 13B of the Renters Rights Act 2025 ('the Act'), the First-tier Tribunal (Property Chamber) ('the Tribunal') has jurisdiction to determine the validity of a landlord's notice of increase. The Act provides:

'13B Challenge to validity of notice to increase rent

Where a tenant under an assured tenancy makes an application to the appropriate tribunal, the tribunal may determine whether a notice served on the tenant under section 13(2) or 13A(2) is valid.'

3 For a notice to be valid, it would have to provide two months' notice of increase in accordance with section 6(4)(a) of the Act.

Submissions of the Parties

Tenant

4 Mr Brown submits that the Landlord's Notice dated Thursday 30 April 2026 was sent by post but did not arrive until 'well into May'. Section 7 of the Interpretation Act 1978 provides that a notice is deemed served in the ordinary course of post on the second working day after posting. However, as Monday 4 May 2026 was a bank holiday in the UK when there were no deliveries, the date of delivery is deemed to be Tuesday 5 May 2026.

5 The Notice of Increase, served on Form 4, specified the effective date of increase as 20 June 2026 which was less than two months after 5 May 2026, whereas it should have been served on Form 4A under the Renters Rights Act 2025 and provided at least two months notice. Mr Brown therefore submits the notice was invalid.

Landlord

6 The landlord provided a copy till receipt and Certificate of Posting from Royal Mail dated 30 April 2026 in evidence. He also provided a photograph of an envelope on a floor outside a door marked '6', with a camera date stamp of 30/04/2026. Mr Ahmed submits that he personally delivered it to the property on 30 April 2026 and followed this by posting a copy via Royal Mail on the same day.

Tribunal Decision

7 The parties clearly dispute whether the Notice was validly served. Mr Ahmed's evidence is that he hand delivered it on 30 April but there is no evidence in the Bundle from an independent witness to confirm, and while the photograph is dated, a date can be altered manually on a device and is not conclusive.

8 We are unable to rely on the landlord's evidence as it is uncorroborated, apart from the Royal Mail Certificate. The only certainty, which both parties accept, is that a copy was handed to the Post Office on 30 April 2026 and sent by post. In accordance with the Interpretation Act, it was deemed served on Tuesday 5 May 2026 which was less than the period of notice required by section 6 of the Renters Rights Act 2025. We therefore find the Notice dated 30 April 2026 invalid and of no effect.

9 The tenant requests reimbursement of the application fee he paid to the Tribunal amounting to £47, to be paid by the landlord. For the Tribunal to award costs, it would have to be satisfied that the landlord had acted unreasonably. In this case, the landlord had provided a Royal Mail Certificate of posting and photograph showing an envelope claimed to enclose a notice on 30 April 2026. The Tribunal is not satisfied that either of these actions provided evidence of sufficient notice for the purposes of the Act, but as the landlord is unrepresented we not not find he acted unreasonably. Accordingly, the tribunal rejects the Applicant's request for costs.

I.D. Humphries B.Sc.(Est.Man.) FRICS
(Chair)

6 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.