	**FIRST - TIER TRIBUNAL** **PROPERTY CHAMBER** **(RESIDENTIAL PROPERTY)**
Case Reference	**MAN/00CF/MRA/2026/0170**
Property	**23 Middle Avenue, Rawmarsh, Rotherham S62 7AX**
Tenant	**Shannen & Callum Brooks**
Tenant's Representative	
Landlord	**Josh Downing**
Landlord's Address	**c/o 55-57 Moorgate Street, Rotherham, S60 2EY**
Landlord's Representative	**Resource Property Management Ltd**
Date of Application	**24 August 2026**
Type of Application	**Determination of an Open-Market Rent sections 13 & 14 of the Housing Act 1988**
Tribunal Members	**Mr N Swain MRICS (Chair)** **Mr A Macpherson**
Date of Decision	**09 November 2026**
Rent Determined	**£750.00 per calendar month**
Date of Valuation	**20 October 2026**
Date the new rent takes effect	**20 November 2026**

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REASONS FOR THE DECISION

Background

1. On 18 August 2026, the Landlord served a notice under Section 13 (2) (as amended) of the Housing Act 1988 which proposed a new rent of £750.00 per calendar month(pcm) in place of the existing rent of £550.00 pcm to take effect from 20 October 2026 .

2. On 24 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 20 July 2018. 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. None

Liability for Council Tax

6. The Tenants are 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 semi-detached, two storey dwelling offering the following accommodation:

   Property: Hallway, kitchen, living/dining room, three bedrooms and bathroom.

   Outside: Garden and shed

   The Property benefits from central heating and double glazing.

   The Property is situated in Rawmarsh, with good access to local amenities. Rotherham town centre is approximately 3 miles to the south.

Evidence

10. The parties completed the relevant MR1 (tenant) and MR2 (landlord). No MR3 (tenant's reply) was received.

The Tenant

11. The Tenant made the following comments:

    a) The Property is falling apart and nothing is done by the Landlord.

    b) They had to get the front bedroom tanked and replastered to solve a damp problem. The Landlord refunded the expenditure.

12. The Tenant did not provide comparable rental evidence.

The Landlord

13. The Landlord made the following comments:

    a) The Landlord confirmed that repairs had been undertaken at the Property. The current issues reported by the Tenant had only been raised as a result of the Landlord's notice being served, and they are currently working to resolve them.

14. The Landlord provided a comparable rental evidence report produced by their agent. This provided a range of similar properties in the local area. However, none were directly comparable, being that they were either terraced properties or had fewer bedrooms. The advertised rental values ranged from £750.00 to £910.00 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. Whilst of use, the Tribunal considered the comparables provided to be of limited use as they were advertised rents (not achieved) and not directly comparable in terms of type, size and layout.

17. Relying on its own expertise and general knowledge of rental values in the area, the Tribunal considers that the market rent of the subject Property modernised and in good order would be in the order of £820.00 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.

18. From this level of rent, the Tribunal has made adjustments in relation to the following:

    a) Decorative issues.

    The full valuation is shown below:

Starting Rent			£820.00 pcm
Less			
a) Items given under a) above		5%	£ 41.00
Open-Market Rent			**£779.00 pcm**

Undue hardship

19. 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.

20. 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 they are already spending their own money on improving the house.

21. The Landlord stated that they were not aware of any repairs that the Tenant has funded themselves. The Landlord dealt with any repair issues when they were raised.

22. 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.

Decision

23. The Tribunal determines the new rent at the amount proposed by the Landlord of £750.00 per calendar month with effect from 20 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.