

**THE RESIDENTIAL PROPERTY TRIBUNAL SERVICE**

**DECISION OF THE MIDLAND RENT ASSESSMENT COMMITTEE  
AS TO ITS JURISDICTION TO DETERMINE A MARKET RENT**

**Property:** 11 North Road, Birmingham, West Midlands B20 3HX

**Landlord:** Midland Area Housing Association Limited

**Tenant:** Miss J Howell

The tenant referred to the committee under section 13(4)(a) of the Housing Act 1988 a landlord's notice proposing a new rent for her assured tenancy. The tenancy which appears to be an assured periodic tenancy, commenced on 19 December 2005, but by section 13(21)(b)(ii) of the Housing Act 1988, the rent cannot be increased by notice less than 52 weeks from the first period of the tenancy. The landlord's notice is thus invalid and ineffective to increase the rent, as the landlord has acknowledged by letter. Accordingly the committee does not have jurisdiction to determine this application.

**CHAIRMAN**.....  ..... 18 May 2006

**Committee:** Lady Wilson

Mr S Berg FRICS

Mr M Ryder