



**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case Reference : **LON/00AP/F77/2019/0159**
Property : **69 Barrington Court, Colney Hatch
Lane, London N10 1QH**
Tenant : **Mr. Keith Henry**

Landlord : **Starett Co. Ltd.
Represented by Grainger PLC**

Types of Application : **Fair rent**

Tribunal Members : **Judge Tagliavini
Mrs A Flynn, MA, MRICS**

**Date and venue of
hearing** : **8 November 2019
10 Alfred Place, London WC1E 7LR**

Date of Decision : **8 November 2019**
Date of Reasons : **30 January 2020**

REASONS

Summary decision of the tribunal:

- I The tribunal registers the rent payable in respect of 69 Barrington Court, Coley Hatch, London N10 1QH as £9,464.00 per annum with effect from 8th November 2019.**
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The application

1. This is an objection by Mr. Henry, the tenant of 69 Barrington Court, Colney Hatch, London N10 1QH (“the premises”) to the capped rent registered by the Rent Officer of £9,965.00 per annum with effect from 11th August 2019 of which £536.87 is attributable to services and £172.77 attributable to fuel charges. The last registered rent was £9,024.50 per annum with effect from 11 August 2017.

The premises

2. The subject premises comprise a self-contained purpose built flat with partial central heating and comprising 3 rooms, kitchen and bathroom/w.c. The tenancy is subject to section 11 of the Landlord and Tenant 1985.

The Applicant’s evidence

3. At the request of the tenant an oral hearing was held by the tribunal at which he attended. In his oral evidence to the tribunal Mr. Henry said that the increase from the last registered rent was too high and instead it should be an increase in the region of 7.5%. Mr. Henry told the tribunal that he has only one radiator in the hallway and that as the supply of hot water is irregular he has a bath at 5a.m or 6 a.m. as it “runs out” during the day.
4. Mr. Henry told the tribunal that as his flat is located next to the lift on the ground floor he regularly gets disturbed by the sound of it being used. Mr. Henry added that he had not been notified of the 2017 registered rent and had paid in the region of £8,000 per annum and appeared to accord with the Respondent’s notice seeking an increase to the registered rent from the £682.50 currently being charged.

The Respondent’s evidence

5. In the landlord’s Application for Registration of Fair Rent dated 26/06/2019 a rent of £315 per week was requested thereby representing an increase on the £682.50 per month said to being charged. The Respondent did not attend the oral hearing and was not represented.

The tribunal's inspection

6. The tribunal carried out an inspection of the subject property on 8 November 2019. It found the interior of the larger bedroom to be in an overall fair condition although with signs of mould and water leakage in the bathroom and a piece of broken glass in the second bedroom. However, the tribunal found there to a limited number of electrical sockets in the premises and the central heating to be limited to one radiator in the hallway. The tribunal also found the presence of damp underneath the living room window.
7. The tribunal also noted the location of the flat near to the ground floor lift.

The tribunal's decisions and reasons

8. The tribunal took as its starting point a market rent of £325 per week in line with schedule of market rents provided to it of £300 to £550 per week 2 bed properties in the N10 postcode.
9. However, in light of its findings on inspection the tribunal determined that a deduction of 30% should be made to reflect the lack of full central heating; the dated kitchen and bathroom; the lack of curtains and carpets and the terms and conditions of the tenancy. This provided an adjusted figure of £227.50 per week.
10. The tribunal then made a 20% deduction to reflect scarcity in the Greater London area which provided an uncapped fair rent of £182.00 per week or £9,464 per annum.
11. As neither party had objected the figure attributable to services or ,the tribunal adopted this figure for the purpose of its own calculation of the fair rent to be registered.
12. In accordance with the Rent Acts (Maximum Fair Rent) Order 1999 the tribunal carried out the calculation required (*see sheet previously provided to the parties*). This produced a figure of £10,011.50 per annum.
13. As the capped figure was higher than the uncapped fair rent the tribunal registered the lower of these figures. Therefore, the rent to be registered with effect from 8th November 2019 is £9,464 per annum.
14. In conclusion the tribunal appreciates that the increase in rent appears to be higher than expected by Mr. Henry. However, this appears to be attributable to the Respondent having failed to seek the payment of the rent registered on 11 August 2017 of £9,024.50 and amounting to £752 per month/£174.00 per week. However, this is a matter for the

landlord if it seeks to charge a lower than registered rent and is not a matter within the jurisdiction of the tribunal.

Signed: Judge Tagliavini

Dated: 30 January 2020