



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

**Case Reference** : **LON/00AH/F77/2020/0084**

**Property** : **Flat 2, 41 Normanton Road, South  
Croydon, Surrey, CR2 7AF**

**Applicant** : **Hodges & Hodges (Landlord)**

**Representative** : **Mr David Hodges**

**Respondent** : **Mr R F Thompson (Tenant)**

**Representative** :

**Type of Application** : **Determination of a fair rent under  
section 70 of the Rent Act 1977**

**Tribunal Members** : **Tribunal Judge Brandler  
Mrs S Phillips MRICS**

**Date of Decision** : **6<sup>th</sup> April 2021**

**Date of Reasons** : **19<sup>th</sup> April 2021**

**DECISION**

**The sum of £648.00 per calendar month will be registered as the  
fair rent with effect from 6<sup>th</sup> April 2021.**

## **FULL REASONS**

### **Background**

1. In an application dated 03/01/2020 the landlord applied to the Rent Officer for a registration of the fair rent of £9500 per annum (£791.67 per calendar month) for the above property. The rent had previously been registered on 13/03/2013, to become effective on 26/03/2018, by the Rent Officer at £645.00 per calendar month. Mr Thompson's tenancy began on 08/01/1972. No tenancy agreement was available.
- 1.2 On 26/02/2020 the Rent Officer registered a fair rent of £645.00 per calendar month with effect from the same day.
- 1.3 By a letter dated 10/03/2020 the Landlord objected to the rent determined by the Rent Officer and the objection was referred to the Tribunal.

### **Inspection**

- 2.1 The Tribunal could not inspect the property because of the COVID-19 Pandemic.

### **Evidence**

- 3.1 Neither party requested a hearing. Therefore, this matter was considered on the papers.

#### **3.2 Tenant's Representations:**

None were made.

#### **3.3 Landlord's Representations:**

The Landlord's representations were included in their reply to the Tribunal. In that form he confirmed that there is no central heating in the property. Double glazing was installed by the Landlord some 10 years ago. Croydon Council had installed a shower in the bathroom and removed the bath to assist the tenant. There is a shared garden, and some limited off-street parking. The kitchen had been redecorated by way of an insurance claim (the landlord's contribution had been £300). The landlord states that the property has excellent transport links and that the tenant keeps the flat in excellent order. The approximate measurements of the rooms are provided as follows: bathroom (6 ft by 8 ft), kitchen (10 ft by 8 ft), the bedroom (12 ft by 12 ft) and living room (16 ft by 12 ft).

## The law

4.1 A summary of the law in respect of this case is attached to this decision.

## Determination and Valuation

5.1 In the first instance the Tribunal determined what rent the landlord could reasonably be expected to obtain for the Property in the open market if it were let today in the condition that is considered usual for such an open market letting. The Tribunal considered the market in and around the area where the property is situated from its own general knowledge, rather than any specific knowledge of market rent levels in the area. The Landlord provided no comparables but stated in the reply form that he considered that the market rent was between £850-£1000 per calendar month. The Tribunal relied upon their expert knowledge and experience. The Tribunal concluded that an open market rent for an unmodernised one-bedroom flat, without central heating, in the vicinity would be in the region of £900.00 per month. This level of rent assumes a property in a refurbished condition.

5.2 The tribunal went on to consider any deduction to reflect terms and conditions, lack of central heating, tenant's own carpets, curtains and white goods, which we consider would have an adverse effect on the open market rent level. Taking these matters into account we consider that a reduction in the open market rent of 10%, fairly reflects these issues. This therefore reduces the open market rent to £810.00 per calendar month.

5.3 The tribunal next considered the issue of scarcity. We were not provided with any specific evidence on this issue. However, the issue of scarcity is considered on the basis of the number of properties available to let and also considering the demand for such properties and over a really large area. Therefore, using our general, rather than any specific knowledge and experience, we consider that in the wide geographical area being the area around Greater London, there is an imbalance between supply and demand and this impacts upon rental values. Accordingly, we make a deduction of approximately 20% for scarcity. The full valuation is shown below.

	£/month
Market Rent	900.00
Less 10%	<u>90.00</u>
<i>To reflect: tenant's own carpets curtains and white goods, lack of central heating</i>	

*and terms and conditions*

810.00

Scarcity 20%

162.00

**Fair rent**

**£648.00**

**Decision**

6.1 The section 70 fair rent to be registered is not limited by the Rent Acts (Maximum Fair Rent) Order 1999, because it is below the maximum fair rent of £8619.50 per annum (£718.29 per month) including £13.50 per month for services prescribed by the Order.

**Accordingly, the sum of £648.00 per calendar month will be registered as the fair rent with effect from 6<sup>th</sup> April 2021 being the date of the Tribunal's decision.**

D. Brandler

**Tribunal Judge Brandler**

**Date: 19<sup>th</sup> April 2021**

---

## **ANNEX - RIGHTS OF APPEAL**

- The Tribunal is required to set out rights of appeal against its decisions by virtue of the rule 36 (2)(c) of the Tribunal Procedure (First-tier Tribunal)(Property Chamber) Rules 2013 and these are set out below.
- If a party wishes to appeal against this decision to the Upper Tribunal (Lands Chamber) then a written application for permission must be made to the First-tier Tribunal at the Regional office which has been dealing with the case.
- The application for permission to appeal must arrive at the Regional office within 28 days after the Tribunal sends written reasons for the decision to the person making the application.
- If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the Tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed despite not being within the time limit.
- The application for permission to appeal must identify the decision of the Tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal, and state the result the party making the application is seeking.