



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

Case Reference : **TR/LON/00AW/F77/2023/0158**

Property : **Flat B, 28 Holland Street, London ,
W8 4LT**

Tenant : **Ms Deloris Watson**

Landlord : **The Cure Company (South West)**

Date of Objection : **5 July 2023**

Type of Application : **Section 70, Rent Act 1977**

Tribunal : **Ian B Holdsworth FRICS
RICS Registered Valuer 079475**

**Date of Summary
Reasons** : **30 August 2023**

DECISION

The sum of £16280.50 per annum will be registered as the fair rent with effect from 30 August 2023, being the date the Tribunal made the Decision.

SUMMARY REASONS

Background

1. Following an objection from the Tenant to the determination of a fair rent by the Rent Officer, the Tribunal has made a determination under the provisions of the Rent Act 1977.

Inspection

2. The Tribunal did not inspect the property but considered this case on the basis of the papers provided by the parties.

Evidence

3. The Tribunal has consideration of the written submissions provided by the Landlord.

Determination and Valuation

4. Having consideration of the comparable evidence proved by the parties and our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in a satisfactory condition would be in the region of £36,000 per annum. From this level of rent we have made adjustments to reflect any tenant improvements, disrepair and obsolescence at the property. Details of the adjustments made are shown in the valuation table below.

5. The Tribunal has also made an adjustment for scarcity.

6. The full valuation is shown below:

Property: Flat B 28 Holland Street London W8 4LT			
Fair rent calculation in accordance with s(70) Rent Act 1977			
Market rent	£36,000.00	per annum	
Disregards		Deduction per week	as % weekly rent
Carpets , curtains white, goods, soft furnishing	£2,700.00		7.50%
Internal decoration liabilities	£2,700.00		7.50%
Dilapidations and obsolescence		Deduction per week	as % weekly rent
No Central Heating	£3,600.00		10.00%
Improvements undertaken by tenant			
None advised			
	Total deductions	£9,000.00	25.00%
	Adjusted Rent balance	£27,000.00	
Less Scarcity 20.00%		£5,400.00	
Adjusted Market Rent	£21,600.00	per annum	Uncapped rent
Capped rent in accordance with	£ 16,820.50	per annum	Capped rent
<i>Rent Acts (Maximum Fair Rent) Order 1999</i>			

7. The Tribunal determines a rent of **£16,820.50** per calendar annum.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £21,600 per annum. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £16,800.50 per annum. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £16,800.50 per annum is to be registered as the fair rent on this property.

Chairman: Ian B Holdsworth

Date: 30 August 2023

APPEAL PROVISIONS

These summary reasons are provided to give the parties an indication as to how the Tribunal made its decision. If either party wishes to appeal this decision, they should first make a request for full reasons and the details of how to appeal will be set out in the full reasons. Any subsequent application for permission to appeal should be made on Form RP PTA

You can only appeal if the First-tier Tribunal decision was wrong on one or more points of law and you must say why the First-tier Tribunal was wrong in law.