



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

Case Reference : **LON/00BF/F77/2023/0206**

Property : **28 Grove Avenue, Sutton, Surrey, SM1 2DP**

Tenant : **Mrs I M Bayden**

Landlord : **Northumberland & Durham Property Trust Limited**

Date of Objection : **17 May 2023**

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

Tribunal : **Mr A Harris LLM FRICS FCI Arb**

Date of Summary Reasons : **5 September 2023**

DECISION

The sum of £13,140 per annum will be registered as the fair rent with effect from 5 September 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. There were no written submissions from the parties.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in its current condition would be in the region of £1500 per calendar month (£18,000 pa). From this level of rent we have made adjustments in relation to:

The assumed dated condition of the flat occupied since 1961

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

6. The full valuation is shown below:

Fair rent		PCM	PA
Market rent		£ 1,500.00	£ 18,000.00
less condition	22%	<u>-£ 330.00</u>	<u>-£ 3,960.00</u>
adjusted rent		£ 1,170.00	£ 14,040.00
less scarcity off adj rent	20%	<u>-£ 234.00</u>	<u>-£ 2,808.00</u>
Fair rent		£ 936.00	£ 11,232.00

7. The Tribunal determines a rent of £11,232 per annum and this equates to £936 per calendar month.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £11232.00 per annum. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at

£13140.00 per annum. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £11232.00 per annum is to be registered as the fair rent of this property.

Chairman: A Harris

Date: 5 September 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