



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

Case Reference : **TR/LON/00BE/F77/2023/0234**

Property : **Lower Ground Floor Front, 42 The
Gardens, London, SE22 9QG**

Tenant : **Mr John Acheson**

Landlord : **GRIP UK PROPERTY INVESTMENTS
LIMITED**

Date of Objection : **13 July 2023**

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

Tribunal : **Mr A Harris LLM FRICS FCIArb**

**Date of Summary
Reasons** : **26 September 2023**

DECISION

The sum of £864.00 per calendar month will be registered as the fair rent with effect from 26 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. The Tribunal has consideration of the written submissions provided by the Landlord. There were no written submissions from the tenant.
4. The Landlord provided a schedule of other rents in The Gardens of unrefurbished studio flats at an average of £1250 per month. The subject flat is described as unrefurbished. The flat has central heating but no carpets, curtains or white goods.

Determination and Valuation

5. 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 its current condition would be in the region of £1200 per calendar month. From this level of rent we have made adjustments in relation to:

The tenants decorating responsibility and the lack of carpets, curtains and white goods

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

7. The full valuation is shown below:

Fair rent		
S70		PM
Market rent		£ 1,200.00
less condition & terms	10%	<u>-£ 120.00</u>
adjusted rent		£ 1,080.00
less scarcity off adj rent	20%	<u>-£ 216.00</u>
Fair rent		£ 864.00

8. The Tribunal determines a rent of £864 per calendar month.

Decision

9. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £864 per calendar month. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £1039.50 per calendar month. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £864.00 per calendar month is to be registered as the fair rent of this property.

Chairman: A Harris

Date: 26 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