



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

**Case Reference** : **SH/LON/00AF/F77/2023/0190**

**Property** : **9 Elliott Road, Bromley, Kent, BR2  
9NT**

**Tenant** : **Mrs Kay Walsham**

**Landlord** : **BPT Limited (Co. Reg. No 229269)**

**Date of Objection** : **20 June 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**

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**DECISION**

**The sum of £210.60 per week will be registered as the fair rent with effect from 30 August 2023, being the date the Tribunal made the Decision.**

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## 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 Tenant. and 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 £390 per week. From this level of rent we have made adjustments to reflect any improvements undertaken by the tenant, disrepair and/or obsolescence at the property. Details are shown in the table below.

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

6. The full rental valuation is shown below:

Property: 9 Elliott Road Bromley Kent BR2 9NT FR			
Fair rent calculation in accordance with s(70) Rent Act 1977			
Market rent		£390.00	per week
<b>Disregards</b>		Deduction per week	as % weekly rent
Carpets , curtains white, goods, soft furnishing		£29.25	7.50%
<b>Dilapidations and obsolescence</b>		Deduction per week	as % weekly rent
No central Heating		£29.25	7.50%
Penetrating damp bedroom 1		£29.25	7.50%
<b>Improvements undertaken by tenant</b>			
Kitchen improvements/enhancements		£19.50	5.00%
Bathroom/toilet modifications		£19.50	5.00%
		<b>Total deductions</b>	<b>£126.75 32.50%</b>
		<b>Adjusted Rent balance</b>	<b>£263.25</b>
Less Scarcity 20.00%		£52.65	
<b>Adjusted Market Rent</b>		<b>£210.60</b>	<b>per week Uncapped rent</b>
<b>Capped rent in accordance with</b>		<b>£ 251.80</b>	<b>per week Capped rent</b>

7. The Tribunal determines a rent of £234 per week.

### **Decision**

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £210.60 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £252 per week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £210.60 per week is to be registered as the fair rent of 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.**