



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

Case Reference : **LON/00AK/F77/2022/0037**

Property : **Flat 3, 6 Bycullah Road, Enfield, Middlesex,
EN2 8EE**

Tenant : **Miss D W Winser**

Landlord : **Hurstway Investment Company Limited**

Date of Objection : **11 February 2022**

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

Tribunal : **Mr O Dowty MRICS
Ms H Bowers MRICS**

**Date of Summary
Reasons** : **27 September 2023**

DECISION

The sum of £745 per calendar month will be registered as the fair rent with effect from 14 September 2023, being the date the Tribunal made the Decision.

SUMMARY REASONS

Background

1. Following an objection from the Landlord 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 carried out an inspection of the property on 14 September 2023.

Evidence

3. The Tribunal has consideration of the written submissions provided by the Tenant. There were no written submissions from the Landlord.

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 £1,200 per calendar month. From this level of rent we have made adjustments in relation to:
 - The Tenant's provision of white goods, floor coverings, curtains and other similar furnishings
 - The lease terms of the tenancy being less attractive to a potential tenant than those which are generally expected in the market
 - The kitchen being dated
 - The bathroom being dated
 - The property's windows being single glazed
5. The Tribunal has also made an adjustment for scarcity.
6. The full valuation is shown over-page:

Property:	Flat 3, Bycullah Road, Enfield, Middlesex, EN2 8EE		
Fair rent calculation in accordance with s(70) Rent Act 1977			
Market Rent	£1,200 per month		
Disregards			
		Deduction	as % of monthly rent
White Goods, Floor Coverings, Curtains, etc		£60	5%
Lease terms		£60	5%
Dated Bathroom		£60	5%
Dated Kitchen		£60	5%
Single Glazing		£30	2.50%
	Total deductions	£270	22.50%
	Market rent less deductions	£930	per month
Less Scarcity	20.00% of Market rent less deductions	£186	
Adjusted Market Rent		£744	per month
	SAY	£745	Per month Uncapped Rent
Maximum capped rent in accordance with Rent Acts (Maximum Fair Rent) Order 1999		£865.50	per month Maximum capped rent
	Fair Rent	£745.00	per month

7. The Tribunal determines a rent of £745 per calendar month and this equates to £171.92 per week.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £745 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 £865.50 per calendar month. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £745 per calendar month is to be registered as the fair rent or this property.

Chairman: Mr O Dowty MRICS

Date: 27 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.