



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

**Case Reference** : **LON/00AY/F77/2023/0121**

**Property** : **161 Ferndale Road, London, SW4 7RU**

**Tenant** : **Mr F Insua**

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

**Date of Objection** : **8 March 2023**

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

**Tribunal** : **Mr A Harris LLM FRICS FCIArb  
Mr O Miller BSc**

**Date of Summary  
Reasons** : **28 September 2023**

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**DECISION**

**The sum of £260.00 per week will be registered as the fair rent with effect from 28 September 2023, being the date the Tribunal made the Decision.**

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## 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 inspected property on 28 September 2023 but otherwise 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. There were no written submissions from the Landlord.
4. The tenant drew attention to various items of disrepair including water damage from the roof, dampness to the first floor front room, dampness and a dangerous staircase making the basement unfit for habitation. The property has central heating but no carpets, curtains or white goods. The kitchen is dated.

### Determination and Valuation

5. No comparable evidence was provided by the parties but relying on our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in the condition that the market would expect with the usual amenities would be in the region of £500 per week. From this level of rent we have made adjustments in relation to:

Items of disrepair which are the responsibility of the Landlord, 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:

<b>Fair rent</b>		
S70		pw
Market rent		£ 500.00
less condition & terms	35%	<u>-£ 175.00</u>
adjusted rent		£ 325.00
less scarcity off adj rent	20%	<u>-£ 65.00</u>
Fair rent		£ 260.00

8. The Tribunal determines a rent of £260 per week.

**Decision**

9. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £260.00 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £347.00 per week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £260.00 per week is to be registered as the fair rent of this property.

**Chairman: A Harris**

**Date: 28 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