



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

Case Reference : **TR/LON/00BE/F77/2023/0280**

Property : **91 Copeland Road, London, SE15 3SL**

Tenant : **Ms Janice Cheddie**

Landlord : **Notting Hill Genesis**

Date of Objection : **28 August 2023**

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

Tribunal : **Mr A Harris LL.M FRICS FCI Arb
Mr O Miller BSc**

**Date of Summary
Reasons** : **13 November 2023**

DECISION

The sum of £229.50 per week will be registered as the fair rent with effect from 13 November 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 held a hearing but did not inspect the property.

Evidence

3. The Tribunal has considered of the oral evidence provided by the Tenant. There were no written submissions from the parties. The Tenant explained that the reason she had brought the appeal was the lack of information from the Landlord about the effect of a new registration. The current rent being paid is £127.00 per week with the previous registered rent being £163.00 per week. The rent officer registered a rent of £228.00 per week but there was no communication from the Landlord about the effect of this. The Tribunal considers the Landlord should review its practice in this area to avoid unnecessary appeals.

Determination and Valuation

4. The Tribunal has to find two figures, the market rent adjusted for scarcity and the capped rent with the lower figure being registered.
5. Having considered the 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 the condition and with the amenities the market would expect would be in the region of £500 per week. From this level of rent we have made adjustments in relation to:
 - a. The terms of the tenancy, no carpets curtains or white goods
 - i. The Tribunal has also made an adjustment for scarcity.
6. The full valuation is shown below:

Fair rent S70		Per week	
Market rent		£	500.00
less condition & terms	25%	-£	<u>125.00</u>
adjusted rent		£	375.00
less scarcity off adj rent	20%	-£	<u>75.00</u>
Fair rent		£	300.00

7. The Tribunal determines a section 70 rent of £300 per week.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £300 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £229.50 per week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £229.50 per week is to be registered as the fair rent for this property.

Chairman: A Harris Date: 13 November 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