



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

**Case Reference** : **TR/LON/00AP/F77/2023/0285**

**Property** : **24 Ashfield Road, London, N4 1PB**

**Tenant** : **Miss K Straker**

**Landlord** : **Sanctuary Housing Association**

**Date of Objection** : **14 August 2023**

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

**Tribunal** : **Mr A Harris LLM FRICS FCI Arb  
Mr J Francis QPM**

**Date of Summary  
Reasons** : **9 November 2023**

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**DECISION**

**The sum of £253.50 per week will be registered as the fair rent with effect from 9 November 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 has attended the property to carry out an inspection of the property on 9 November 2023 but did not gain access. The Tribunal did not therefore inspect the property but considered this case on the basis of the papers provided by the parties.

### Evidence

3. The Tribunal has considered the Tenant's notice of appeal and the Landlord's reply form.

### 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 consideration of 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 £640.00 per week. From this level of rent we have made adjustments in relation to:
  - a. The lack of carpets, curtains and white goods

The Tribunal has also made an adjustment for scarcity.

6. The full valuation is shown below:

|                            |     |           |               |
|----------------------------|-----|-----------|---------------|
| <b>Fair rent</b>           |     |           |               |
|                            |     | PW        |               |
| Market rent                |     | £         | 640.00        |
| less condition & terms     | 20% | <u>-£</u> | <u>128.00</u> |
| adjusted rent              |     | £         | 512.00        |
|                            |     |           |               |
| less scarcity off adj rent | 20% | <u>-£</u> | <u>102.40</u> |
| Fair rent                  |     | £         | 409.60        |

7. The Tribunal determines a rent of £410.00 per week as the S70 rent.

## **Decision**

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £410.00 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £253.50 per week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £253.50 per week is to be registered as the fair rent for this property.

**Chairman:            A Harris**

**Date:    9 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