



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

Case Reference : **LON/00AY/F77/2023/0262**

Property : **82D Oxford Gardens, London W10
5UW**

Tenant : **Mrs M Beech**

Landlord : **Notting Hill Genesis**

Date of Objection : **21 June 2023**

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

Tribunal : **Judge Professor R Percival
Mrs A Flynn MA MRICS**

**Date of Summary
Reasons** : **20 November 2023**

DECISION

The sum of £161 per calendar week will be registered as the fair rent with effect from 20 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 did not inspect the Property, having not been requested to do so, but considered this case on the basis of the papers provided by the parties.

Evidence

3. Included in the tenant's objection letter made on her behalf by William Beech, her son and carer. there was a statement to the effect that his mother was an invalid and could not afford the increase of some 60%. although he recognised some increase was due. Also he felt the flat was being singled out. In correspondence, he outlined the disrepair in the property and mentioned the store as being in accessible. No comparables were provided. The landlord provided no evidence.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the North Kensington/ Notting Hill area area, we consider that the open market rent for the Property in its current condition, having regard to the assertions of disrepair would be in the region of £400 week.

5. The Tribunal has made an adjustment for scarcity.

6. The full valuation is shown below:

Market Rent per calendar week	£560
Less disrepair	£ 56
	£504
Scarcity	at 20%
	£100.80
	£403.20 say £400

7. The above figure of £ per week is the **uncapped** amount. However, capping applies in this case, and the **capped** rent for the Property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £979 per calendar month. The calculation of the capped rent is shown on the decision form. In this case the lower rent of **£161 per week** is to be registered as the fair rent or this property.

Chair: **Judge Prof R Percival**

Date: **7 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