



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

**Case Reference** : **LON/00BE/F77/2023/0258**

**Property** : **First Floor, 5 Melbourne Grove,  
London SE22 8RG**

**Tenant** : **Margaret Doreen Luckings**

**Landlord** : **Trendgrove Properties Ltd**

**Representative** : **Hamways**

**Date of Objection** : **5<sup>th</sup> January 2023**

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

**Tribunal** : **Judge Nicol  
Ms M Krisko FRICS**

**Date of Summary  
Reasons** : **2<sup>nd</sup> November 2023**

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**DECISION**

**The sum of £ per week will be registered as the fair rent with effect from 2<sup>nd</sup> 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 inspected the property. It is a flat on the first floor of a converted house and comprises two bedrooms, a living room, a kitchen and a bathroom/WC. It is dated, with unmodernised kitchen and bathroom and single-glazed windows, some of which are in poor condition. The landlord has not provided white goods, curtains or floor coverings. In their written submissions, the landlord's agents claimed there are communal gardens but the garden is only accessible by the ground floor tenant.

### Evidence

3. Both parties completed the Tribunal's Reply Form with some written submissions but neither provided details of any comparable properties.

### Determination and Valuation

4. Having consideration of the comparable evidence used by the Rent Officer and our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property would be in the region of £420 per week. From this level of rent we have made adjustments in relation to:

- (a) No central heating
- (b) Unmodernised kitchen and bathroom
- (c) Single-glazed windows
- (d) No white goods
- (e) No curtains / carpets
- (f) Tenant's repair liability

5. The Tribunal has also made an adjustment for scarcity.

6. The full valuation is shown below:

Market Rent		per week £420
<i>Less</i>		
No central heating	)	
Unmodernised kitchen and bathroom	)	
Single-glazed windows	)	
No white goods	)	approx. 35%
No curtains / carpets	)	
Tenant's repair liability	)	

147

273

<i>Less</i>		
Scarcity	approx. 20%	55
		<u>£218</u>

### **Decision**

7. The uncapped fair rent determined by the Tribunal, for the purposes of section 70, was £218 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £223 per week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £218 per week is to be registered as the fair rent of this property.

**Chairman: Judge Nicol**

**Date: 2<sup>nd</sup> 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.