



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

**Case Reference** : **HS/LON/00BK/F77/2023/0267**

**Property** : **Flat 48 Miles Buildings, Penfold  
Place, London, NW1 6RG**

**Tenant** : **Mr Salah Kheari**

**Landlord** : **Tenacious Properties Ltd.**

**Type of Application** : **Rent Act 1977**

**Tribunal** : **Ian B Holdsworth FRICS  
RICS Registered Valuer 079475  
John Francis QPM**

**Date of Summary  
Reasons** : **6 November 2023**

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**DECISION**

**The sum of £216 per week will be registered as the fair rent with effect from, 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 did inspect the property and considered this case on the basis of any papers provided by the parties.

## Evidence

3. There were written submissions from the tenant.

## Determination and Valuation

4. 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 a satisfactory condition would be in the region of **£450 per week**. From this level of rent we have made adjustments to reflect any tenant improvements, disrepair and obsolescence at the property. Details of the adjustments made are shown in the valuation table below.

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

6. The full rental valuation is shown below:

Property: Flat 48 Miles Buildings, Penfold Place, London, NW1 6RG			
Fair rent calculation in accordance with s(70) Rent Act 1977			
Market rent		£450.00	per week
<b>Disregards</b>		Deduction per week	as % of rent per week
Carpets , curtains white, goods, soft furnishing		£22.50	5.00%
Internal decoration liability		£22.50	5.00%
<b>Dilapidations and obsolescence</b>		Deduction per week	as % of rent per week
Internal wall surfaces affected by dampness		£45.00	10.00%
Dated electrical wiring		£45.00	10.00%
Dated bathroom and kitchen fittings		£45.00	10.00%
<b>Improvements undertaken by tenant</b>		Deduction per week	as % of rent per week
None advised			
	Total deductions	£180.00	40.00%
	Adjusted Rent balance	£270.00	
Less Scarcity 20.00%		£54.00	
Adjusted Market Rent		£216.00	per week
			Uncapped rent
Capped rent in accordance with <i>Rent Acts (Maximum Fair Rent) Order 1999</i>		£ 259.50	per week
			Capped rent

7. The Tribunal determines a rent of **£216 per week** after adjustments.

## Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £216 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated

at **£259.50 per week**. The calculation of the capped rent is shown on the decision form. In this case the lower rent of **£216 per week** is to be registered as the fair rent for this property.

**Chairman: Ian B Holdsworth**

**Date: 6 November 2023**

### **APPEAL PROVISIONS**

**You can only appeal this determination if the First-tier Tribunal decision was wrong on one or more points of law and you must say why the First-tier Tribunal was wrong in law.**

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