



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

**Case Reference** : **JM/LON/00AD/F77/2023/0187**

**Property** : **46 Langmore Court, Hanover Way,  
DA6 8BZ**

**Tenant** : **Miss L Reeves**

**Landlord** : **Orbit South Housing Association  
Limited**

**Date of Objection** : **30 May 2023**

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

**Tribunal** : **Ian B Holdsworth FRICS  
RICS Registered Valuer 079475  
Alan Ring**

**Date of Summary  
Reasons** : **27 November 2023**

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**DECISION**

**The sum of £216 per week will be registered as the fair rent with effect from 27 November 2023, being the date the Tribunal made the Decision.**

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## SUMMARY REASONS

### Background

1. Following an objection from the Landlord 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 attended the property on 27 November at around 11.30 am. The time and date was agreed with the tenant, Ms Reeve to undertake at her request an inspection of the property. She failed to attend so an internal inspection of the dwelling was not possible.

3. The Tribunal considered this case on the basis of any papers provided by the parties.

### Evidence

4. There were written submissions from both the parties.

### Determination and Valuation

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 a satisfactory condition would be in the region of £300 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.

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

7. The full rental valuation is shown below:

<b>Property:</b>	<b>46 Langmore Court DA6 8BZ</b>			
Fair rent calculation in accordance with s(70) Rent Act 1977				
Market rent		£300.00	per week	
<b>Disregards</b>			Deduction per week	as % of rent per week
Carpets , curtains white, goods, soft furnishing		£15.00		5.00%
Internal decoration liability				
<b>Dilapidations and obsolescence</b>			Deduction per week	as % of rent per week
Isolated mould in kitchen		£15.00		5.00%
Aged bathroom and kitchen fittings				
Minor defects with radiators and WC extractor				
<b>Improvements undertaken by tenant</b>			Deduction per week	as % of rent per week
None advised				
		<b>Total deductions</b>	<b>£30.00</b>	<b>10.00%</b>
		<b>Adjusted Rent balance</b>	<b>£270.00</b>	
Less Scarcity 20.00%			£54.00	
<b>Adjusted Market Rent</b>		<b>£216.00</b>	<b>per week</b>	<b>Uncapped rent</b>
<b>Capped rent in accordance with Rent Acts (Maximum Fair Rent) Order 1999</b>		<b>£228.01</b>	<b>per week</b>	<b>Capped rent</b>

8. The Tribunal determines a rent of £216 per week.
9. The Tribunal reviewed the submissions made on service charges.
10. The Tribunal are not supplied with a copy of the tenancy agreement or any evidence that the service charge is variable. For the Tribunal to determine allowable service charges it is essential for them to refer to the relevant lease clauses that determine tenant liability. In the absence of this information the Tribunal has relied upon the outcome of the rent officers analysis of the actual and budgeted service charge costs submitted with the application. They accept the fixed service charge as determined by the Rent Officer at £9.75 per week.

### **Decision**

11. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £216 per week which includes a fixed service charge of £9.75 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £228.01 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: November 27 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