



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

Case Reference : **TR/LON/00BE/F77/2023/0283**

Property : **Second Floor Flat, 12 Dagmar Road,
London, SE5 8NZ**

Tenant : **Mr Roger Taylor**

Landlord : **BPT Limited**

Date of Objection : **31 August 2023**

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

Tribunal : **Mr O Dowty MRICS**

**Date of Summary
Reasons** : **17 November 2023**

DECISION

The sum of £702 per calendar month will be registered as the fair rent with effect from 16 November 2023, being the date the Tribunal made the Decision.

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 did not inspect the property but considered this case on the basis of the papers provided by the parties.

Evidence

3. The Tribunal has consideration of the written submissions provided by the Tenant. There were no written submissions from the Landlord.

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 the condition and on the terms usual for such a letting would be in the region of £1,300 per calendar month. From this level of rent we have made adjustments in relation to:

- The lease terms of the tenancy being less attractive to a potential tenant than those which are generally expected in the market as regards internal decoration
- The Tenant's provision of white goods, floor coverings, curtains and other similar furnishings
- The property not offering central heating
- The bathroom and kitchen at the property being basic
- Cracking and water penetration in the bedroom

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

6. The full valuation is shown below:

| | | | | | |
|--|--|--------------------------------|-----------------------------|---------------------|----------------------------|
| Property: | Second Floor Flat 12, Dagmar Road, London, SE5 8NZ | | | | |
| Fair rent calculation in accordance with s(70) Rent Act 1977 | | | | | |
| Market Rent | | | | £1,300 per month | |
| | | | | | |
| LESS | | | | Deduction per month | as % of monthly rent |
| Lease Terms | | | | £97.50 | 7.5% |
| White Goods, Floor Coverings, Curtains, etc | | | | £65.00 | 5.00% |
| Basic Bathroom and Kitchen | | | | £65.00 | 5.00% |
| No Central Heating | | | | £65.00 | 5.00% |
| Cracks & Water Penetration in Bedroom | | | | £130.00 | 10% |
| | | | | | |
| | | | Total deductions | £422.50 | 32.50% |
| | | | | | |
| | | | Market rent less deductions | £877.50 | per month |
| | | | | | |
| Less Scarcity | 20.00% | of Market rent less deductions | | £175.50 | |
| | | | | | |
| Adjusted Market Rent | | | | £702.00 | per month Uncapped rent |

7. The Tribunal determines a rent of £702 per calendar month and this equates to £162 per week.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £702 per calendar month. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £838.50 per calendar month. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £702 per calendar month is to be registered as the fair rent or this property.

Chairman: Mr O Dowty MRICS

Date: 17 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