



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

**Case Reference** : **JM/LON/00BE/F77/2023/0209**

**Property** : **75 Merrow Street, London, SE17 2NW**

**Tenant** : **Mr B Smith**

**Landlord** : **Walworth Investment Properties Ltd**

**Date of Objection** : **3 July 2023**

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

**Tribunal** : **Mr A Harris LLM FRICS FCI Arb  
Mr O Miller BSc**

**Date of Summary  
Reasons** : **13 November 2023**

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**DECISION**

**The sum of £193.00 per week will be registered as the fair rent with effect from 13 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 has carried out an inspection of the property on 13 November 2023.

### Evidence

3. The Tribunal has considered the written submissions provided by the Tenant pointing out that contrary to the rent registration certificate the flat had not been modernised and did not have central heating. This was confirmed by the Tribunal at its inspection.

### Determination and Valuation

4. In the absence of comparable evidence from the parties the tribunal has relied on 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 with the amenities the market would expect would be in the region of £460.00 per week. From this level of rent we have made adjustments in relation to:
  - a. The lack of modernisation and dated kitchen and bathroom fittings
  - b. No central heating
  - c. No carpets curtains or white goods
  - d. The Tribunal has also made an adjustment for scarcity.
5. The full valuation is shown below:

Fair rent			
			per week
Market rent		£	460.00
less condition & terms	40%	-£	<u>184.00</u>
adjusted rent		£	276.00
less scarcity off adj rent	20%	-£	<u>55.20</u>
a. Fair rent		£	220.80

6. The Tribunal determines a rent of £221.00 per week for the purposes of s70.

## **Decision**

7. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £221.00 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £193.00 per week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £193.00 per week is to be registered as the fair rent of this property.

**Chairman: A Harris**

**Date: 13 November 2023**

## **8. APPEAL PROVISIONS**

9. 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