



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

Case Reference : **TR/LON/00AP/F77/2023/0318**

**HMCTS code
(paper, video, audio)** : **P:PAPERREMOTE**

Property : **112A Victoria Road, London, NW6
6QB**

Tenant : **Mr. Devon Miller**

Landlord : **Notting Hill Genesis**

Type of Application : **Determination of a Fair Rent –
Section 70, Rent Act 1977**

Tribunal Members : **Judge Sarah McKeown
Mr. Kevin Ridgeway MRICS**

**Date and venue of
Consideration** : **10 Alfred Place, London WC1E 7LR**

**Date of Summary
Reasons** : **11 December 2023**

Description of hearing

This has been a paper hearing which the parties are taken to have consented to, as explained below. A face-to-face hearing was not held because it was not practicable and all issues could be determined in a paper hearing. The form of remote hearing was P:PAPERREMOTE. The Tribunal's decision is below.

DECISION

The sum of £190.63 per week will be registered as the fair rent with effect from 11 December 2023, being the date the Tribunal made the Decision.

SUMMARY REASONS

The 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.
2. No inspection was carried out.

Evidence

3. The Tribunal has considered the application by the Landlord along with, among other things:
 - (a) The letter from the Tenant dated 5 September 2023 objecting of the proposed new rent;
 - (b) The Reply form from the Landlord.

Determination and Valuation

4. The Tribunal used its 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 £800 per week. From this level of rent, we have made adjustments in relation to:
 - (a) No furniture provided;
 - (b) No white goods;
 - (c) No curtains or floor coverings;
 - (d) No central heating.
5. The full valuation is shown below:

| | Per week |
|----------------------------------|----------|
| Market rent (excluding services) | £375 |

| | |
|--------------------------------|-------------------------|
| Less condition & terms | <u>40%</u> <u>-£150</u> |
| Adjusted rent | £225 |
| Less scarcity | <u>20%</u> <u>-£45</u> |
| Fair rent (excluding services) | £180 |
| Services | <u>£10.63</u> |
| Fair rent including services | £190.63 |

6. The Tribunal therefore determines a rent of £190.63 per week for the purposes of s.70.

Decision

7. The uncapped fair rent initially determined by the Tribunal for the purposes of s.70 was £190.63 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £198.13. The calculation of the capped rent is shown on the decision form. In this case, the lower rent of £190.63 per week is to be registered as the fair rent for this property.

Name: Judge Sarah McKeown Date: 11 November 2023

APPEAL PROVISIONS

These summary reasons are provided to give the parties and 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.