



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

Case Reference : **LON/00AG/F77/2023/0367**

Property : **63A Gondar Gardens, London, NW6
1EP**

Tenant : **Yvonne Donovan**

Landlord : **Notting Hill Genesis**

Date of Objection : **27 September 2023**

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

Tribunal : **Tribunal Judge MacQueen
Tribunal Member Ridgeway, MRICS**

**Date of Summary
Reasons** : **18 January 2024**

DECISION

The sum of £227.62 per week will be registered as the fair rent with effect from 18 January 2024, being the date the Tribunal made the Decision.

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

Evidence

3. There were no written submissions from the parties.

Determination and Valuation

4. The Property is a self-contained flat in a converted Victorian mid terraced house of brick and slate roofed construction. The accommodation is comprised of a living room, kitchen, two bedrooms and a bathroom/w.c.
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 the condition and with the amenities would be in the region of £470 per week.
6. This hypothetical rent is adjusted as necessary to allow for the differences between the terms and conditions considered usual for such a letting in today's market and the condition of the actual Property at the date of the determination under the Rent Act 1977. Any rental benefit derived from Tenant's improvements is disregarded.

The following deductions were made.

Old Bathroom	5%
Old Kitchen	5%
Repair	5%
Carpets & Curtains	5%
No double glazing	5%
No decorating & Internal repairing	
Obligations on the landlord	5%
Total	30%

7. A further deduction for Scarcity of 20% was then made to reach a uncapped Fair Rent for the purposes of s.70. An addition of £5.17 for

weekly service charge has been made giving a final uncapped rent of £257.17 per week.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £257.17 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £227.62 per week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £227.62 per week is to be registered as the fair rent or this property.

Chairman: Judge Bernadette MacQueen

Date: 18 January 2024

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