



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

**Case Reference** : **TR/LON/00AW/F77/2023/0233**

**Property** : **2 Ovington Street, London, SW3 2JB**

**Tenant** : **Mrs E O'Brien**

**Landlord** : **Northumberland & Durham Property  
Trust Limited**

**Date of Objection** : **13 July 2023**

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

**Tribunal** : **Mr A Harris LLM FRICS FCI Arb**

**Date of Summary  
Reasons** : **26 September 2023**

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**DECISION**

**The sum of £29520.00 per annum will be registered as the fair rent with effect from 26 September 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 did not inspect the property but considered this case on the basis of the papers.

### Evidence

3. There were no written submissions from the parties.

### 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 the market would expect for a new letting on an AST would be in the region of £82,000 per annum (£20,500 per quarter). From this level of rent we have made adjustments in relation to:

The assumed dated condition of the house lacking central heating, a modern kitchen and bathroom and occupied since 1972.

The full repairing obligations of the tenant

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

6. The full valuation is shown below:

Fair rent		PA	PQ
S70			
Market rent		£ 82,000.00	£ 20,500.00
less condition & terms	55%	<u>-£ 45,100.00</u>	<u>-£ 11,275.00</u>
adjusted rent		£ 36,900.00	£ 9,225.00
less scarcity off adj rent	20%	<u>-£ 7,380.00</u>	<u>-£ 1,845.00</u>
Fair rent		£ 29,520.00	£ 7,380.00

7. The Tribunal determines a rent of £29,520.00 per annum and this equates to £7380.00 per calendar month.

## **Decision**

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £29,520.00 per annum. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £34173.50 per annum. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £29520.00 per annum is to be registered as the fair rent or this property.

**Chairman: A Harris**

**Date: 26 September 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