



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

**Case Reference** : **LON/00AC/F77/2023/0401**

**Property** : **152 Purves Road, London NW10 5TG**

**Tenant** : **Mr & Mrs B Aguh**

**Landlord** : **Notting Hill Genesis**

**Date of Tenant's  
Objection** : **4<sup>th</sup> October 2023**

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

**Tribunal** : **Mr D Jagger MRICS**

**Date of **Amended**  
Summary Reasons** : **12<sup>th</sup> February 2024**  
**16<sup>th</sup> February 2024**

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**DECISION**

The sum of **£222.00** per calendar week will be registered as the fair rent with effect from **12th February 2024** 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.

### Evidence

2. The Tribunal has consideration of the written submissions from the Tenant which included photographs together with the Rent Officers calculations and Rent Registers.

### Determination and Valuation

3. Having consideration of our own expert, general knowledge of rental values in the **Kensal Rise** area together with the Landlords comparable evidence, we consider that the open market rent for the property in its current condition would be in the region of £646 per calendar week. From this level of rent we have made adjustments in relation to:

Terms of tenancy, no white goods, no carpets or curtains, dated kitchen and bathroom fittings, significant water ingress and damp which equates to approximately 40%

4. The Tribunal has also made an adjustment for scarcity at 20%

5. The full valuation is shown below:

Market Rent		£646 pw
Less	approx. 40%	£258
	Leaves	<u>£388</u>
Less		

Scarcity	approx. 20%	<u>£78</u>
	Leaves	£310 pw

6. The Tribunal determines a rent of £222.00 per calendar week.

### **Decision**

7. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £310 per calendar week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £222.00 per calendar week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £222 per calendar week is to be registered as the fair rent for this property effective from 12th February 2024 being the date the Tribunal made the Decision.

8. It is often the case that market rents are in excess of those that maybe charged by social landlord's as it is a significant part of their remit to provide affordable housing. As such depending on the type of tenancy agreement their calculation of rent is either at a percentage of market rent or by way of index. Comparison is made with the open market rather than limited to other properties which are offered by social housing providers. It is assumed that the landlord will by usual convention of social landlord's not seek to increase the rent proposed in its original notice as a result of this determination.

Chairman: Duncan Jagger MRICS      Date: 12<sup>th</sup> February 2024  
16<sup>th</sup> February 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