



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

**Case Reference** : **LON/00BB/F77/2023/0387**

**Property** : **1 Elm Road, Forest Gate, London E7  
9HN**

**Tenant** : **Miss Z E Cumberbatch**

**Landlord** : **London and Quadrant Group**

**Date of Tenant's  
Objection** : **23rd October 2023**

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

**Tribunal** : **Mr D Jagger MRICS  
Mr A Ring**

**Date of Summary  
Reasons** : **15<sup>th</sup> February 2024**

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**DECISION**

The sum of **£254.50** per calendar week will be registered as the fair rent with effect from **15<sup>th</sup> 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 both parties 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 Forest Gate area, we consider that the open market rent for the property in its current condition would be in the region of £530 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, damp to walls and defective heating system which equates to approximately 25%

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

5. The full valuation is shown below:

Market Rent		£530 pw
Less	approx. 25%	£132.50
	Leaves	<u>£397.50</u>
Less		
Scarcity	approx. 20%	<u>£79.50</u>

6. The Tribunal determines a rent of £254.50 per calendar week

### **Decision**

7. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £318 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 £254.50 per calendar week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £254.50 per calendar week is to be registered as the fair rent for this property effective from 15th 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: 15<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