



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

Case Reference : **TR/LON/00AK/F77/2023/0390**

Property : **11 Beech Road, London, N11 2DA**

Tenant : **Mr & Mrs Mangan**

Landlord : **Inbar Ltd**

Date of Objection : **25 October 2023**

Type of Application : **Rent Act 1977**

Tribunal : **Ian B Holdsworth FRICS**
RICS Registered Valuer 079475
Alan Ring

**Date of Summary
Reasons** : **11 March 2024**

DECISION

The sum of £200 per week will be registered as the fair rent with effect from 8 March 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 inspected the property in conjunction with Mrs Mangan and her son in law on 8th March 2024. The inspection revealed extensive dampness to the internal wall surfaces of bedroom 1, lounge and kitchen. The severity of this defect is deemed a material rental consideration by the Tribunal.

Evidence

3. There were written submissions on condition, landlord improvements and comparable market rents from the landlord. The tenant made a written submission on the extent of internal dampness at the property.

Determination and Valuation

4. Having consideration of the submissions on comparable market rent made by the landlord and our own expert, general knowledge of rental values in the area we consider that the open market rent for the property in a satisfactory condition would be in the region of £369 per week equivalent to £1600 per month. From this level of rent we have made adjustments to reflect any tenant improvements, disrepair and obsolescence at the property. Details of the adjustments made are shown in the valuation table below.

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

6. The full rental valuation is shown below:

Property: 11 Beech Road N11 2DA			
Fair rent calculation in accordance with s(70) Rent Act 1977			
Market rent		£369.00	per week
Disregards		Deduction per week	as % of rent per week
Most carpets , curtains white, goods, soft furnishing		£18.45	5.00%
Internal decoration liability		£9.23	2.50%
Dilapidations and obsolescence		Deduction per week	as % of rent per week
Extensive dampness to internal wall surfaces		£92.25	25.00%
Bedroom 1, Lounge and Kitchen			
Improvements undertaken by tenant		Deduction per week	as % of rent per week
		Total deductions	£119.93 32.50%
		Adjusted Rent balance	£249.08
Less Scarcity 20.00%			£49.82
Adjusted Market Rent		£199.26	per week
			Uncapped rent
Capped rent in accordance with Rent Acts (Maximum Fair Rent) Order 1999		£ 265.00	per week
			Capped rent

7. The sum of £199.26 per week calculated and shown in table 1 is rounded up to £200 per week. The Tribunal accordingly determines a rent of £200 per week.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £200 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £265 per week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of **£200 per week** is to be registered as the fair rent for this property.

Chairman: Ian B Holdsworth

Date: 11 March 2024

APPEAL PROVISIONS

You can only appeal this determination if the First-tier Tribunal decision was wrong on one or more points of law and you must say why the First-tier Tribunal was wrong in law.

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