



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

Case Reference : **LON/00AD/F77/2024/0011**

Property : **90 Burns Avenue, Sidcup, Kent. DA15
9HR.**

Tenant : **Mr. K. W. Bowman.**

Landlord : **London & Quadrant H.T.**

Date of Objection : **4 December 2023.**

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

Tribunal : **Valuer Chair Aileen Hamilton-Farey**

**Date of Summary
Reasons** : **14 March 2024**

DECISION

**The sum of £264.80 will be registered as the fair rent with effect
from 14 March 2024 being the date the Tribunal made the Decision.**

REASONS FOR THE DECISION

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. Neither party requested an inspection. The Tribunal did not inspect the property but considered this case on the basis of the papers provided by the parties.

Evidence

3. There were no written submissions from either party, with the exception of the letter of objection from the tenant in which he said that the rent was too high.

The Application

4. By an application (RR1) dated 19 September 2023, the landlord sought a first registration of Fair Rent for the subject property. The landlord suggested a rent of £131.84 based on a 75% equity share under a shared ownership lease. In addition, the landlord sought registration of a variable service charge of £25.00 per month to cover insurance and administration.

5. On 16 November 2023 the Rent Officer registered a Fair Rent of £240.95 per month inclusive of service charge of £18.33 per month. The tenant's objection was received by the Valuation Office on 4 December 2023, where the tenant suggested that the rent set was too high.

Determination and Valuation

6. Having consideration of the tribunal's own expert, general knowledge of rental values in the area, together with those of the Rent Officer Service we consider that the open market rent for the property in good tenable condition would be in the region of 1,600.00 per calendar month. However, the rent has been adjusted in relation to:

- A deduction of 10% to reflect the absence of white goods, carpets and curtains that might be found in an open market letting.
- A deduction of 15% to reflect the full repairing obligation of the leaseholder.
- A deduction of 20% to reflect the element of 'scarcity' as defined in the Rent Act 1977.

The tribunal was then required to apportion the resultant amount to reflect the equity share owned by the leaseholder, in this case 75%.

7. It should be noted that this is the first time that the rent for this property has been registered and therefore the capping mechanism under the Maximum Fair Rent Order 1999 do not apply.

8. The full valuation is shown below:

Market Rent per calendar month:	£1,600.00
<i>Less</i>	
10% for lack of white goods, carpets etc.	<u>£ 160.00</u>
	£1,440.00
Less 15% to reflect fully repairing obligation of tenant	<u>£ 216.00</u>
	£1,224.00
Less service charge	<u>£ 25.00</u>
	£1,199.00
Less scarcity @ 20%	<u>£ 239.80</u>
<u>Gross rent:</u>	£ 959.20
Apportioned for equity share x 25%	£ 239.80
Plus service charge	<u>£ 25.00</u>
<u>Fair Rent:</u>	<u>£ 264.80</u>

9. The Tribunal determines a rent of **£264.80** per calendar month inclusive of a variable service charge of **£25.00** the effective date is 14 March 2024. As already stated, this is a first registration and therefore the MFR does not apply. The amount registered as the Fair Rent is therefore **£264.80** per calendar month.

Chairman: Aileen Hamilton-Farey Date: 14 March 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 request for full reasons should be made within a month. Any subsequent application for permission to appeal should be made on Form RP PTA