



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

Case Reference : **LON/00AN/F77/2024/0017**

Property : **4A Barclay Road, London SW6 1EH**

Tenant : **Mr & Mrs E. Green**

Landlord : **Lissa Napolitano**

Date of Objection : **6 December 2023**

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

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

**Date of Summary
Reasons** : **19 March 2024**

DECISION

The sum of £840 per calendar month will be registered as the fair rent with effect from 19 March 2024, being the date the Tribunal made the Decision.

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 inspected the property on the 19 March 2024 in the presence of the Tenants and a family friend.

Evidence

3. A hearing took place at 10.15am on the 19 March 2024 which was attended by the Landlord and her husband Mr Martin Band. The Landlord lives in the adjoining property No 4 Barclay Road. The Tribunal has consideration of the comprehensive evidence provided by the Landlord which included calculations with a clear methodology and comparable evidence of two flats rented out by them in the same building, being 4B and 4C, located on the second floor. The current passing rent for these properties is £2100 and £2300 respectively. The Tenants provided a completed Reply Form with submissions in connection with the condition of the property and lack of natural light to the kitchen and living room following refurbishment and extension works undertaken by the Landlord in approximately 2019.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the Fulham Broadway area, we consider that the open market rent for the property in its current condition would be in the region of £2100 per calendar month. 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, no central heating, defective windows and a lack of natural lighting and which equates to approximately 50%

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

6. The full valuation is shown below:

Market Rent		£2100 pm
<i>Less</i>	approx. 50%	£1050
		<u>£1050</u>

<i>Less</i>		
Scarcity	approx. 20%	<u>£210</u>
		£840

7. The Tribunal determines a rent of £840 per calendar month

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £840 per calendar month. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £1034 per calendar month. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £840 per calendar month is to be registered as the fair rent or this property.

Chairman: Duncan Jagger MRICS Date: 19 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 subsequent application for permission to appeal should be made on Form RP PTA