

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

Case Reference : **LON/00BD/F77/2024/0044.**

Property : **121 Godstone Road, Twickenham,
Middx TW1 1JY.**

Tenant : **Mr. A. H. Blackbeard.**

Landlord : **Northumberland and Durham
Property Trust.**

Date of Objection : **21 December 2023.**

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

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

**Date of Summary
Reasons** : **3 April 2024**

DECISION

The sum of £1,043.30 per calendar month will be registered as the fair rent with effect from 3 April 2024 being the date the Tribunal made the Decision.

REASONS FOR THE DECISION

Background

1. Following an objection by 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. Tribunal did not inspect the property but considered this case based on the papers provided by the parties.

Evidence

3. The Tribunal has considered the documents supplied that include the Rent Officer's calculations and notes. The landlord objects on the basis that the rent set by the Rent Officer is too low.

The Application

4. By an RR1 dated 26 October 2023 the landlord sought an increase in the rent from the rent passing of £940.00 per month to £1,128.00 per month.

5. On 12 December 2023 the Rent Officer Service registered a new rent at £990.00 per month with effect from 13 January 2024. At that time the Rent Officer considered the market rent at £1,750 per month from which statutory deductions were made.

6. By an email dated 21 December 2023 the landlord objected to the rent set and the matter was referred to this tribunal.

7. The tribunal issued directions on 8 February 2024 that requested the parties provide details of any comparable properties that they wished the tribunal to consider, and any other details of the property that should be taken into consideration. No comparable evidence was provided by either party.

Consideration:

9. In the absence of any comparables from either party, the tribunal is entitled to use its own wide knowledge and experience of rentals in the Greater London area and concludes that an open market rent for a property of this size in this location would be £1,900.00 per calendar month.

10. This rental would be for a modernised property, with white goods, carpets and curtains and let by a willing tenant/landlord on the terms of a modern assured shorthold tenancy. However, the subject property is not in this condition, and according to the Rent Officer has no central heating, no modern kitchen or bathroom, and was let unfurnished without carpets or curtains. In the circumstances this tribunal considers that the market rent above must be discounted to reflect these differences. The tribunal must then

apply a deduction (shown as a percentage) to take account of the scarcity of property as required by the Rent Act 1977. The valuation is set-out below.

11. Having carried out the valuation for the adjusted market rent, the tribunal must then carry out the valuation using the Maximum Fair Rent Order formula (MFR), a copy of this calculation is appended to the decision.

12. The legislation requires the tribunal to set the Fair Rent at either the adjusted market rent, or the rent calculated using the MFR whichever is the lower.

Valuation

13.

Market Rent	per month £1,900.00
<i>Less</i>	
Difference for tenancy terms @ 5%.	<u>(£ 95.00)</u> £1,805.00
Difference for lack of carpets, curtains, and white goods 15%	<u>(£ 270.75)</u> £1,534.25
Difference for lack of modernisation to bathroom and Kitchen and lack of central heating 15%	<u>(£ 230.13)</u> £1,304.12
Less Scarcity @ 20%	<u>(£ 260.82)</u>
<u>Fair rent:</u>	£1,043.30

13. The Tribunal determines that the Fair Rent for the subject property would be **£1,043.30 per calendar month**. However, the tribunal must then carry out the Maximum Fair Rent Order calculation, which in this instance produced a figure of **£1,174.50**.

14. As noted above the tribunal must register as the maximum Fair Rent the lower of these two sums and in this instance the Maximum Fair Rent is £1,043.30 per calendar month, with effect from 3 April 2024.

Chairman: Aileen Hamilton-Farey Date: 3 April 2024.