



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

Case Reference : **LON/00AC/F77/2024/0052.**

Property : **134A Ballards Lane, London N3 2PA.**

Tenant : **Mr. C. Grant.**

Landlord : **Pine Investments Limited.**

Date of Objection : **29 December 2023.**

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

Tribunal : **Aileen Hamilton-Farey.**

**Date of Summary
Reasons** : **12 April 2024.**

DECISION

The sum of £2,439.00 will be registered as the maximum fair rent with effect from 12 April 2024 being the date the Tribunal made the Decision.

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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 determined the rent 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. This was agreed to by the parties.

Evidence

3. The Tribunal has considered the written submissions provided by the Tenant in that the rent registered by the Rent Officer was too high, and that the was seeking advice on the matter. The landlord has remarked that they agree property was unmodernised, did not have central heating or double glazing and was very cold in the winter. The landlords supplied a copy of a tenancy agreement dated 1 April 2022 for an identical property in the same street with an agreed rent of £1,400.00 per calendar month, equivalent to £4,200.00 per quarter.

The Application

4. By an RR1 dated 16 June 2023 the landlord sought an increase in the rent. At the time of the application the registered rent was £1,891.50 per quarter, having previously been registered on 18 August 2021. On the RR1 application the landlord sought an increase to £3,000.00 per calendar quarter.

5. On 14 December 2023, the Rent Officer registered a rent of £2,419.50 per quarter, and it is this figure that is objected to by the tenant.

6. The tribunal issued directions on 14 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. The tenant did not provide any evidence and relied on their statement to the Rent Officer. The landlord produced the evidence of an open market letting for a similar property in the same street where the rent had been agreed at £1,400.00 per calendar month, equivalent to £4,200.00 per quarter. The landlord also said that, historically the rent for the subject property had never reached market levels and therefore they sought £3,000.00 per month, which was below market levels.

Determination:

7. The starting point for the tribunal is the market rent for comparable properties in the vicinity. Although the landlord provided evidence of an agreed rental for a similar property, this was two years old at the date of the determination, and in this tribunal's, view was therefore too low. Using the tribunal's wide general knowledge of rentals in Greater London, the tribunal considers the subject property, modernised, with white goods, central heating and double glazing would rent for £1,900.00 per month (£5700.00 per quarter).

However the subject property is not in the condition of that to be expected from an open market rent, and adjustments must be made to reflect those differences. In addition the tribunal is required to make any deductions considered necessary to reflect the level of scarcity of properties in the locality, in accordance with the Rent Act 1977. The tribunal's valuation is detailed below.

Determination and Valuation

8.

Market Rent	Per quarter: £5,700.00
<i>Less</i>	
Differences between the tenancy terms: 5%	(£285.00) £5,415.00
Less deductions for lack of white goods, carpets Curtains, double glazing and central heating 15%	(£ 812.25) £4,602.75)
Total:	
Less 20% scarcity	(£ 920.55)
<u>Total:</u>	£3,682.20.

9. The Tribunal determines that the fair rent for the property would be **£3,682.50 per quarter.**

10. The tribunal must then carry out the calculation of the Maximum Fair Rent, as shown on the reverse of the decision form. This produced a rent of **£2,439.00 per calendar quarter.**

11. The registered rent is the lower of either the fair rent (£3,682.20) or the maximum fair rent (£2,439.00), in this instance the lower is the Maximum Fair Rent and this is therefore registered as the fair rent with effect from 12 April 2024.

Decision

12. The tribunal registers the Fair Rent for the subject property at **£2,439.00 per quarter with effect from 12 April 2024.**

Chairman: Aileen Hamilton-Farey Date: 12 April 2024.