



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

Case Reference: **LON/00BK/F77/2023/0344**

Property: **14b Albert Court, Prince Consort
Road, London, SW7 2BG**

Tenant: **Mr L A Stannard**

Landlord: **Northumberland & Durham Property
Trust Limited**

Date of Objection: **12 September 2023**

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

Tribunal: **Judge I Mohabir
Mrs S Redmond BSc (Econ) MRICS**

**Date of Summary
Reasons : 16 January 2024**

DECISION

The sum of £3,971.40 per calendar month will be registered as the fair rent with effect from 16 January 2024 being the date the Tribunal made 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. The Tribunal did not inspect the property but considered this case on the basis of the papers provided by the parties.

Evidence

3. Only written submissions were received from the tenant.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in its current condition would be in the region of £9,600 per calendar quarter.

It should be noted that the Tribunal adopted the Rent Officer's finding that the correct apportionment for the calculation of the service charge contribution for the tenant is 0.357% and not the 0.5060% apportionment used by the landlord. The Tribunal, therefore, calculated that the service charge contribution payable by the tenant is £656.98 based on 25% of 0.357% of £736,110 per annum. No attempt has been made to apportion for the element of personal heating. This appears as £54.61 on the previous rent register.

From this level of rent we have made global adjustments in relation to:

For the tenant's improvements, the dated kitchen and bathroom, tenant's floor coverings, curtains, white goods and decoration obligation under the terms of the tenancy.

5. After deducting the amount for services, the Tribunal has also made an adjustment for scarcity.

6. The full valuation is shown below:

Market Rent		per calendar quarter £9,600
Less		
Deductions above)) 50%)	£4,800
Less		
Services		say, £657
		£4,143
Less		
Scarcity	approx. 20%	<u>£828.60</u>
		£3,314.40
Plus Services		<u>657</u>
		££3,971.40

7. The Tribunal determines a rent of £3,971.40 per calendar quarter.

Decision

8. The rent has not been capped under the provisions of the Rent Acts (Maximum Fair Rents) Order 1999 as it is below MFR of £5218 per quarter.

Tribunal Judge: Mr I Mohabir

Date: 16 January 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