



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

**Case Reference** : **LON/00AE/F77/2024/0237.**

**Property** : **35b Crediton Road, London NW10 3DT.**

**Tenant** : **Ms. M. Marshall.**

**Landlord** : **Mountview Estates PLC.**

**Date of Objection** : **27 April 2023 (Late Objection  
accepted 9 August 2023).**

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

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

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

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**DECISION**

**The sum of £1,054.00 per calendar month will be registered as the maximum fair rent with effect from 3 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.

### **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 she was seeking advice on the matter. The landlord has remarked that they agree with the Rent Officer's decision.

### **The Application**

4. By an RR1 dated 27 January 2023 the landlord sought an increase in the rent. At the time of the application the registered rent was £801.00 per calendar month, having previously been registered on 16 March 2021 (effective from 25 April 2021). On the RR1 application the landlord sought an increase to £1,335.00 per calendar month.

5. On 25 April 2023, the Rent Officer registered a rent of £1012.50 per calendar month, and it is this figure that is objected to by the tenant. The tenant finally contacted the Rent Officer to object to the registered rent, this was after the 28-day objection period had expired and the matter was referred to the tribunal who would decide whether to accept the late objection. The tribunal's decision accepting the late objection was issued to the parties.

6. The tribunal issued directions on 9 March 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. Neither party provided any evidence of other properties they wished the tribunal to consider.

### **Determination:**

7. The starting point for the tribunal is the market rent for comparable properties in the vicinity. The parties did not provide any evidence and therefore using the tribunal's wide general knowledge of rentals in the area, the rent for the property has been assessed at £1750.00 per calendar month. From this figure, the tribunal must make deductions so that the market rent is comparable to the subject tenancy. The tribunal must also determine what the level of scarcity deduction should be in accordance with the Rent Act 1977. In this instance the tribunal determines that 20% would be a relevant deduction. The valuation is detailed below:

### **Determination and Valuation**

8.

Market Rent	Per month £1,750.00
<i>Less</i>	
Differences between the tenancy terms: 5%	( £ 87.50)
Less lack of white goods, carpets, curtain and recent Modernisation 10%.	<u>£1,662.50</u> (£ 166.25)
Total:	£1,496.25
Less 20% scarcity	<u>(£299.25)</u>
<u>Total:</u>	<b>£1,197.00.</b>

9. The Tribunal determines that the fair rent for the property would be £1,197.00 per calendar month.

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 **£1,054.00 per calendar month.**

11. The registered rent is the lower of either the fair rent (£1,197.00) or the maximum fair rent (£1,054.00), in this instance the lower is the Maximum Fair Rent and this is therefore registered as the fair rent with effect from 3 April 2024.

### **Decision**

12. The tribunal registers the Fair Rent for the subject property at £1,054.00 per calendar month with effect from 3 April 2024.

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