



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

Case Reference : **LON/00BJ/F77/2024/0078**

Property : **Flat 2, 39 Louisville Road, London
SW17 8RL**

Tenant : **Mr B Jurczynski**

Landlord : **Southern Housing**

Date of Objection : **6th January 2024**

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

Tribunal : **Mr D Jagger MRICS**

**Date of Summary
Reasons** : **26th April 2024**

DECISION

The sum of £204.00 per calendar week will be registered as the fair rent with effect from 26th April 2024, being the date the Tribunal made the Decision.

SUMMARY REASONS

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. The Tribunal has consideration of the written submissions provided by the Landlord. There were no written submissions from the tenant.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the Tooting area, we consider that the open market rent for the property in its current condition would be in the region of £392 per calendar week. From this level of rent we have made adjustments in relation to:

No central heating, no white goods, no carpets or curtains provided by landlord

5. The Tribunal has also made an adjustment for scarcity at 25%

6. The full valuation is shown below:

Market Rent	per calendar Week	£392.00
<i>Less</i>		
As above approximately 25%	<u>£98</u>	£294
<i>Less</i>		
Scarcity	approx. 20%	<u>59</u>
		£235

7. **The Tribunal determines a rent of £204.00 per calendar month**

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £235.00 per calendar week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £204.00 per calendar week is to be registered as the fair rent of this property.

9. It is often the case that rents determined by the Tribunal are in excess of those that may be charged by social landlords as it is a significant part of their remit to provide affordable housing. As such depending on the type of tenancy agreement their calculation of rent is either at a percentage of market rent or by way of index. Comparison is made with the open market rather than limited to other properties which are offered by social housing providers. It is assumed that the landlord will by usual convention of social landlords not seek to increase the rent proposed in its original notice as a result of this determination.

Chairman: Duncan Jagger MRICS Date: 26th April 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