

# Notice of the Tribunal Decision

## Rent Act 1977 Schedule 11

### Address of Premises

174 Bishops Road, London, SW6 7JG

### The Tribunal members were

Judge Rosanna Foskett  
Mrs Alison Flynn MA MRICS

### Landlord

BPT (Bradford Property Trust) Limited

### Tenant

Ms Pamela Elaine Redmile

1. The fair rent is

£960

Per

Calendar month

(excluding water rates and council tax but including any amounts in paras 3&4)

2. The effective date is

29 April 2024

3. The amount for services is

N/A

Per

negligible/not applicable

4. The amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance is

N/A

Per

negligible/not applicable

5. The rent is not to be registered as variable.

6. The capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 apply (please see calculation overleaf).

7. Details (other than rent) where different from Rent Register entry

8. For information only:

The fair rent to be registered is not limited by the Rent Acts (Maximum Fair Rent) Order 1999, because it is below the maximum fair rent of £1,149 per calendar month prescribed by the Order.

Chairman

Judge Rosanna Foskett  
Mrs Alison Flynn MA MRICS

Date of decision

29 April 2024

# MAXIMUM FAIR RENT CALCULATION

## Bishops Road

LATEST RPI FIGURE X

PREVIOUS RPI FIGURE Y

X  Minus Y  = (A)

(A)  Divided by Y  = (B)

First application for re-registration since 1 February 1999 NO

If yes (B) plus 1.075 = (C)

If no (B) plus 1.05 = (C)

Last registered rent\*  Multiplied by (C) =

\*(exclusive of any variable service charge)

Rounded up to nearest 50p =

Variable service charge NO

If YES add amount for services

MAXIMUM FAIR RENT =  Per

### Explanatory Note

1. The calculation of the maximum fair rent, in accordance with the formula contained in the Order, is set out above.
2. In summary, the formula provides for the maximum fair rent to be calculated by:
  - (a) increasing the previous registered rent by the percentage change in the retail price index (the RPI) since the date of that earlier registration and
  - (b) adding a further 7.5% (if the present application was the first since 1 February 1999) or 5% (if it is a second or subsequent application since that date).

A 7.5% increase is represented, in the calculation set out above, by the addition of 1.075 to (B) and an increase of 5% is represented by the addition of 1.05 to (B).

The result is rounded up to the nearest 50 pence.
3. For the purposes of the calculation the latest RPI figure (x) is that published in the calendar month immediately before the month in which the Tribunal's fair rent determination was made.
4. The process differs where the tenancy agreement contains a variable service charge and the rent is to be registered as variable under section 71(4) of the Rent Act 1977. In such a case the variable service charge is removed before applying the formula. When the amount determined by the application of the formula is ascertained the service charge is then added to that sum in order to produce the maximum fair rent.

## **SUMMARY REASONS**

### **Background**

1. The previous fair rent for this property registered with effect from 15 January 2022 was £905.67 per calendar month.
2. Following an application by the Landlord on 26 October 2023, with effect from 15 January 2024, the Rent Officer registered the fair rent at £936 per calendar month.
3. Following an objection dated 17 January 2024 made by the Landlord to the determination by the Rent Officer, the Tribunal has made a determination under the provisions of the Rent Act 1977.

### **Inspection**

4. No party requested an inspection by the Tribunal.

### **Evidence**

5. The Tribunal considered the documents that had been sent by the Valuation Office Agency, the Landlord and the Tenant. There was no oral hearing.

### **Determination and Valuation**

6. The property is a self-contained flat within a converted Victorian terraced house. The accommodation comprises 2 rooms, 1 kitchen, 1 bathroom/WC and a garden. There is no central heating. No photographs or other descriptions of the condition of the property were provided, apart from the Rent Officer's notes on the adjustments made to the open market rent, which noted that the Tenant was liable for decoration, the Landlord provided no floor coverings, curtains or white goods and the kitchen is unmodernised. There may have been certain other notes made in relation to the adjustments but the Tribunal was unable to see them on the screenshot submitted showing the Rent Officer's calculations.
7. Having regard to our own expert, general knowledge of rental values in the area (including based on comparable figures for properties in the area which have actually been let), we consider that the open market rent for the property would be around £2,000 per calendar month.
8. This hypothetical rent is adjusted as necessary to allow for the differences between the terms and conditions considered usual for such a letting in today's market and the condition of the actual property at the date of the determination under the Rent Act 1977. Any benefit derived from the tenant's improvements (if any) is disregarded.
9. The Tribunal made adjustments amounting to 40% of the open market rent in line with the Rent Officer's notes on the condition of the property.
10. That gave a fair rent of £1,200 per calendar month.
11. A further deduction for scarcity of 20% was then made giving an uncapped fair rent for the purposes of section 70 of the 1977 Act of £960 per calendar month.

**Decision**

12. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £1,149 per calendar month (see calculation above).
13. In this case, the lower rent of £960 per calendar month is to be registered as the fair rent for this property.

**Chairman: Judge Rosanna Foskett, Mrs Alison Flynn MA MRICS**

**Date: 29 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.