



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

Case Reference : **LON/00AW/F77/2024/0107**

Property : **Lower Ground Floor Flat 26
Coleherne Road, London SW10 9BW**

Tenant : **Miss Lesley Davis**

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

Date of Objection : **23rd January 2024**

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

Tribunal : **Mr D Jagger MRICS
Mr C Piarroux**

**Date of Summary
Reasons** : **3rd May 2024**

DECISION

The sum of £1,232 per calendar month will be registered as the fair rent with effect from 3 May 2024, being the date, the Tribunal made the Decision.

SUMMARY REASONS

Background

1. Following an objection from the Landlord 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 and Hearing

2. A hearing took place on the **3 May 2024**, and this was attended by the Tenant and Mr Jeremy Snell. The Landlord did not attend. Following the hearing the Tribunal inspected the property.

Evidence

3. The Tribunal had copies of the Valuation Office Agency correspondence including the rent registers effective **29th November 2021** and **16th January 2024** together with the calculations for the most recent registration.

The parties provided limited information in connection with the property in the form of completed Reply forms. No comparable evidence was provided by the parties.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the Chelsea area, we consider that the open market rent for the property in its current condition would be in the region of **£2,200** per calendar month. From this level of rent we have made adjustments in relation to:

Terms of tenancy, no white goods, no carpets or curtains, dated fittings, poor access arrangements, and some rotten widow units which equates to approximately **30%**

5. The Tribunal has also made an adjustment for scarcity at **20%**

6. The full valuation is shown below:

Market Rent		£2,200	pm
<i>Less</i>	approx. 30%	£660	
Terms and Condition			
	<i>Leaves</i>	£1,540	
<i>Less</i>	approx. 20%	£308	
Scarcity			
	<i>Leaves:</i>	£1,232	pm

Decision

7. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was **£1,232** per calendar month. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at **£1,364 per** calendar month. The calculation of the capped rent is shown on the decision form.

8. In this case therefore the lower rent of £1,232 per calendar month is to be registered as the fair rent of this property.

Chairman: Duncan Jagger MRICS Date: 3 May 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