



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

Case Reference : **LON/00AW/F77/2024/0106**

Property : **Lower Ground Floor Flat 59A
Cathcart Road, London SW10 9DH**

Tenant : **Mr Keith Harvey**

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

Date of Objection : **19 January 2024**

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

Tribunal : **Mr D Jagger MRICS**

**Date of Summary
Reasons** : **9 May 2024**

DECISION

The sum of £1,344 per calendar month will be registered as the fair rent with effect from 9 May 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 and relied on the information provided by the Rent Officer together with Google Street Maps and its expert knowledge.

Evidence

3.. The Tribunal had copies of the Valuation Office Agency correspondence including the rent registers effective **20th February 2022** and **20th February 2024** together with the calculations for the most recent registration.

The Tenant completed the Reply Form and 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 West Chelsea area, we consider that the open market rent for the property in its current condition would be in the region of **£2,400.00** 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 kitchen fittings 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		£2,400 pm
Less (as above)	approx. 30%	£720
		<i>Leaves: £1,680</i>
Less Scarcity	approx. 20%	£336

Leaves: £1,344 pm

7. **The Tribunal determines a rent of £1,344 per calendar month**

Decision

8. The capped fair rent determined by the Tribunal, for the purposes of section 70, was **£1,404** per calendar month. The uncapped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at **£1,344** per calendar month. The calculation of the capped rent is shown on the decision form. In this case the lower rent of **£1,344.00** per calendar month is to be registered as the fair rent for this property.

Chairman: Duncan Jagger MRICS Date: 9 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