



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

Case Reference : **TR/LON/00AU/F77/2024/0004**

Property : **Flat B, 108 Tufnell Park Road,
Islington, London, N7 0DU**

Tenant : **Ms Mary Peevers**

Landlord : **Clarion Housing Association**

Date of Objection : **17 January 2024**

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

Tribunal : **Mr A Harris LLM FRICS FCIArb**
Mrs A Flynn MRICS

**Date of Summary
Reasons** : **17 January 2024**

DECISION

The sum of £208.00 per week will be registered as the fair rent with effect from 17 January 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 at a hearing attended by the Tenant and on the basis of the papers provided by the parties.

Evidence

3. The Tribunal has also considered the written submissions provided by the Tenant and the Landlord. The tenant raised the question as to whether there had been a change in her tenancy from a secure tenant to an assured tenant as the Landlord had used a Form 4 notice of increase to vary the Standard Rent. The Rent Officer also raised the point with regard to variable service charges which were included on Form RR1. There is no evidence before the tribunal of any change to the tenancy which will therefore be registered without a variable service charge.

Determination and Valuation

4. Having consideration of the comparable evidence proved by the parties and our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in the condition and with the amenities the market would expect would be in the region of £350.00 per calendar week. From this level of rent we have made adjustments in relation to:

General assumed condition
No carpets curtains and white goods

5. The Tribunal has also made an adjustment for scarcity.

6. The full valuation is shown below:

Fair rent			
		PW	
Market rent		£	350.00
less condition & terms	20%	-£	<u>70.00</u>
adjusted rent		£	280.00
less scarcity off adj rent	20%	-£	<u>56.00</u>
Fair rent		£	224.00

7. The Tribunal determines a s70 rent of £224.00 per week.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £224.00 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £208.00 per week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £208.00 per week is to be registered as the fair rent of this property.

Chairman: A Harris

Date: 17 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