



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

Case Reference : **LON/00/LON/00AN/F77/2024/0125**

Property : **33d Westcroft Square London W6 0DT**

Tenant : **Ms Eileen Shepherd**

Landlord : **Ms Sara McWilliam**

Date of Objection : **5 December 2023**

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

Tribunal : **Judge O'Brien, Sarah Phillips MRICS**

**Date of Summary
Reasons** : **20 May 2024**

DECISION

The sum of £832 will be registered as the fair rent with effect from 20 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

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 Tenant and the Landlord.

Determination and Valuation

4. Having consideration of the comparable evidence provided 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 good tenable condition would be in the region of £1,600 per calendar month. From this level of rent we have made adjustments in relation to:

- Tenant's liability to repair - 5%
- No white goods- 5%
- Unmodernised bathroom – 10%
- Broken/faulty windows – 5%
- Presence of mould – 5%
- No curtains or floor coverings- 5%

5. The Tribunal has also made an adjustment of -20% for scarcity.

6. The full valuation is shown below:

Market Rent	£1600	Per calendar month
<i>Less</i>	<i>£560 (35%)</i>	<i>Per calendar month</i>
<i>Less</i>		
<i>Scarcity</i>	<i>approx. 20%</i>	<u>£320</u>
		£832

7. The Tribunal determines a rent of £832 per calendar month.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £832 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 £991 per calendar month. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £832 per calendar month is to be registered as the fair rent of this property.

Chairman: Niamh O'Brien

Date: 20 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 request for full reasons should be made within a month. Any subsequent application for permission to appeal should be made on Form RP PTA