



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

Case Reference : **HS/LON/00AU/F77/2024/0020**

Property : **First Floor Flat, 105 Stroud Green
Road, London N4 3PX**

Tenant : **Ms R Granada**

Landlord : **Dr Asma Khan**

Date of Objection : **6 January 2024**

Type of Application : **Determination of a Fair Rent under
Rent Act 1977**

Tribunal : **Tribunal Judge Ian Mohair
Alison Flynn, MA, MRICS**

Date of Decision : **27 June 2024**

**Date of Extended
Reasons** : **4 July 2024**

DECISION

The Tribunal determines a rent of £900 per calendar month with effect from 27 June 2024

EXTENDED 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, section 70.
2. The Rent Officer had proposed a Fair Rent £980 per calendar month inclusive of services of £189.15 per calendar month with effect from 3 November 2023. The previous rent was £780 per calendar month inclusive of services of £40 per calendar month with effect from 18 October 2018.

Hearing

3. The Tribunal held a short remote video hearing on 27 June 2024, where Ms Granada and Dr Khan appeared in person. Both made oral submissions that largely concerned the shared supply of electricity to both the subject flat and the landlord's adjacent dental practice.
4. The Tribunal also carried out an inspection of the Property on the same day.

Representations

5. At the hearing Ms Granada told the Tribunal that she believed that the rent was too expensive but found comparable properties difficult to obtain because of the condition of the property. Her main objection was to the significant increase in electricity cost the landlord was seeking. Dr Khan had provided rents of properties, which she said were smaller than the subject property. The evidence from both parties centred to a large extent on the electricity costs, which had increased from £40 per calendar month to £189.15 per calendar month. Evidence was presented by both parties in the form of bills, invoices and photographs. Apparently the dentist surgery is now operating from a new tariff. Dr Khan also added that Ms Granada had not paid any increased rent but was told the Tribunal was solely concerned with assessing the current rent and not any alleged rent arrears owed.

Inspection

6. The property is situated on a main commercial road which is easily accessible to local amenities and public transport. It is a private flat in a three-storey building over commercial premises. It is accessed via an open quarry-tiled porch up a flat of stairs to its own self-contained front door .
7. The accommodation comprises a hallway with a spacious in-built cupboard and no natural light. The kitchen is unmodernised and with

limited working sockets. The reception room is L-shaped leading from the kitchen but also with a separate door. The main bedroom has a fitted cupboard and secondary glazing installed by tenant, the cost of which had been reimbursed to her. The second bedroom is a good-sized single with a cupboard. The bathroom has a three-piece suite with no natural light and defective air extractor.

8. Externally, a door leads to a balcony from the kitchen, via an uneven step. There is an overflow drain onto the balcony.
9. In general, the property is dated and unmodernised. The wiring is insufficient for today's standards. There is no central heating and the windows are of UPVC. The decorative condition is adequate and there are ceiling tiles.

Determination and Valuation

10. It should be noted that the Tribunal found the evidence relating to the electricity consumption to be inconclusive from both parties and the Tribunal could not safely make a finding about the actual consumption of the tenant. Therefore, felt that there was no basis to depart from Rent Officer's estimate of usage.
11. Having consideration of the further written submissions of the landlord and tenant and their oral evidences, the visual evidence of the property and the tribunal's own expert knowledge of rental values in the N4 and Finsbury area of London, we consider that the rent for the property in its current condition would be £900 per calendar month which takes into account a reduction for scarcity.
12. The full valuation is shown below:

Market Rent	£1750 per calendar month
<i>Less approximately 35% globally for:</i>	<i>£ 615</i>
No Central heating Dated Kitchen and bathroom Electricity not up to modern standards Repairs	
Net rent	£1135
Less scarcity at 20%	say £900

13. The Tribunal determines a rent of £900 per calendar month inclusive of services of £189.15 per calendar month. 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 £ 1000 per calendar month including £ 189.18 per calendar month for services prescribed by the Order.

APPEAL PROVISIONS

These extended 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, any application for permission to appeal should be made on Form RP PTA.