



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

Case Reference : **GB/LON/00BF/F77/2024/0165**

Property : **62 Wynash Gardens, Carshalton,
Surrey, SM5 3PX**

Tenant : **Ms J R Lentz**

Landlord : **Fleetguild Limited**

Date of Objection : **28 February 2024**

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

Tribunal : **Mr A Harris LLM FRICS FCIArb**

**Date of Summary
Reasons** : **2 July 2024**

DECISION

The sum of £792.00 per calendar month will be registered as the fair rent with effect from 2 July 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. 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 reply form provided by the Landlord. There were no other written submissions from the parties. The papers included a schedule of services in the block but these include matters which are the landlords responsibility under s11 of the Landlord and Tenant Act 1985. The previous registered rent was set by the tribunal and included a variable service charge. The current registration under appeal includes a fixed amount for services. There is no objection to the amount registered by the Rent Officer.

Determination and Valuation

4. In the absence of rental comparables provided by the parties the tribunal has relied on its own expert, general knowledge of rental values in the area and considers 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 £1,500.00 per calendar month. From this level of rent we have made adjustments in relation to:

No central heating, carpets curtains or white goods provided by the landlord

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

6. The full valuation is shown below:

Fair rent			
			PCM
Market rent		£	1,650.00
less condition & terms	40%	-£	<u>660.00</u>
adjusted rent		£	990.00
less scarcity off adj rent	20%	-£	<u>198.00</u>
Fair rent		£	792.00

7. The Tribunal determines a s70 rent of £792.00 per calendar month.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £792.00 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 £918.50 per calendar month. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £792.00 per calendar month is to be registered as the fair rent or this property.

Chairman: A Harris

Date: 2 July 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