

Notice of the Tribunal Decision

Rent Act 1977 Schedule 11

Address of Premises

2 Colville Square,
Notting Hill
London W11 2ED

The Tribunal members were

Mr N Martindale FRICS

Landlord

Mountview Estates plc.

Tenant

Mr J E Nicholson

1. The fair rent is

£800

Per

pcm

(excluding water rates and council tax but including any amounts in paras 3&4)

2. The effective date is

14 August 2024

3. The amount for services is

nil

Per

negligible/not applicable

4. The amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance is

nil

Per

negligible/not applicable

5. The rent is not to be registered as variable.

6. The capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 apply.

7. Details (other than rent) where different from Rent Register entry

Converted former end terraced house from 1850s facing on to communal gardens, on 6 levels plus basement, now divided into c. 6 flats plus. The Property is first & second floor, non-self contained. Likely slated butterfly and metal flat roofs over top floor mansard. White painted render to all walls. Accom. 2 rooms, kitchen bathroom/ wc (outside on different floor). Basic bathroom and kitchen, no double glazing, timber DHS, no CH. Assumed no carpets and curtains nor white goods. Some historic longstanding repairs; cause disputed.

8. For information only:

The fair rent to be registered is the maximum fair rent as prescribed by the Rent Acts (Maximum Fair Rent) Order 1999 and is below the MFR cap of £ 215 per week. It is therefore not capped. The landlord may charge any rent up to and including this registered Fair Rent but not a figure above it. (The capped Fair Rent would have been £215 per week).

Chairman

N Martindale

Date of decision

14 August 2024

MAXIMUM FAIR RENT CALCULATION

LATEST RPI FIGURE (2 months prior)	X		387.3		
PREVIOUS RPI FIGURE (2 months prior)			314.3		
X	387.3	Minus Y	314.3	= (A)	73
(A)	73	Divided by Y	314.3	= (B)	0.2323

First application for re-registration since 1 February 1999 NO

If yes (B) plus 1.075 = (C)			
If no (B) plus 1.05 = (C)	1.2823		
Last registered rent*	£726 pcm	Multiplied by (C) =	£930.95 pcm
*(exclusive of any variable service charge)			
Rounded up to nearest 50p =	£931 pcm		
Variable service charge	NO		
If YES add amount for services			
MAXIMUM FAIR RENT =	£931	Per	per calendar month

Explanatory Note

1. The calculation of the maximum fair rent, in accordance with the formula contained in the Order, is set out above.
2. In summary, the formula provides for the maximum fair rent to be calculated by:
 - (a) increasing the previous registered rent by the percentage change in the retail price index (the RPI) since the date of that earlier registration and
 - (b) adding a further 7.5% (if the present application was the first since 1 February 1999) or 5% (if it is a second or subsequent application since that date).

A 7.5% increase is represented, in the calculation set out above, by the addition of 1.075 to (B) and an increase of 5% is represented by the addition of 1.05 to (B).

The result is rounded up to the nearest 50 pence.
3. For the purposes of the calculation the latest RPI figure (x) is that published in the calendar month immediately before the month in which the Tribunal's fair rent determination was made.
4. The process differs where the tenancy agreement contains a variable service charge and the rent is to be registered as variable under section 71(4) of the Rent Act 1977. In such a case the variable service charge is removed before applying the formula. When the amount determined by the application of the formula is ascertained the service charge is then added to that sum in order to produce the maximum fair rent.