



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

**Case Reference** : **LON/00AY/F77/2024/0126**

**Property** : **Flat 3 Healey House, Holland Grove,  
London SW9 6NF**

**Tenant** : **Mr J Prentice**

**Landlord** : **Southern Housing**

**Date of Objection** : **2<sup>nd</sup> January 2024**

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

**Tribunal** : **Mr D Jagger MRICS  
Mr O Miller**

**Date of Summary  
Reasons** : **16 August 2024**

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**DECISION**

**The sum of £249.00 per calendar Week will be registered as the fair rent with effect from 16 August 2024, being the date, the Tribunal made the Decision.**

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## 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 arrived to inspect the property at 12.20pm on the 16<sup>th</sup> August 2024. The tenant was not present, and therefore the Tribunal made its decision based on an external inspection only.

### Evidence

3.. The Tribunal had copies of the Valuation Office Agency correspondence including the rent registers effective **19th April 2013** and **21<sup>st</sup> December 2023** together with the calculations for the most recent registration.

The Tenant completed Reply Form. No comparable evidence was provided by the parties. The Landlord did not provide any written submissions.

### Determination and Valuation

6. Having consideration of our own expert, general knowledge of rental values in the Kennington area, we consider that the open market rent for the property in its current condition would be in the region of **£570**.per calendar week. From this level of rent we have made adjustments in relation to:

Terms of tenancy, no white goods, no carpets or curtains, unmodernised condition, evidence of mould to the walls in bedroom three which equates to approximately **30%**

7. The Tribunal has also made an adjustment for scarcity at **20%**

8.. The full valuation is shown below:

<b>Market Rent</b>		<b>£570</b> pcw
<b>Less</b> (as above)	approx. <b>30%</b>	<b>£171</b>
		<i>Leaves: £399</i>
<b>Less</b> Scarcity	approx. <b>20%</b>	<b>£80</b>
		<i>Leaves: £319 pcw</i>

9. **The Tribunal determines a rent of £249 per calendar week**

**Decision**

10. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was **in accordance with the above calculations being £319 .00** per calendar week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at **£249.00** per calendar week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of **£249.00** per calendar week is to be registered as the fair rent for this property.

11. It is often the case that rents determined by the Tribunal are in excess of those that may be charged by social landlords as it is a significant part of their remit to provide affordable housing. As such depending on the type of tenancy agreement their calculation of rent is either at a percentage of market rent or by way of index. Comparison is made with the open market rather than limited to other properties which are offered by social housing providers. It is assumed that the landlord will by usual convention of social landlord's not seek to increase the rent proposed in its original notice as a result of this determination

**Chairman: Duncan Jagger MRICS      Date: 14 August 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