

FIRST - TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY)

Case Reference : LON/00AZ/F77/2024/0153

Property: 313A Sydenham, London SE26 5EW

Tenant : R Simpson

Landlord : Oakdrive Ltd c/o W Lettings & Management

Date of Objection : 6 February 2024

Type of Application : Section 70, Rent Act 1977

Tribunal : Mr D Jagger MRICS

Mr O Miller

Date of Summary

Reasons : 16 August 2024

DECISION

The sum of £620 per calendar Month 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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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 did not inspect the property and relied on the information provided by the Rent Officer together with Google Street Maps and its expert knowledge.

Evidence

3.. The Tribunal had copies of the Valuation Office Agency correspondence including the rent registers effective **19th January 2022** and **22nd January 2024** together with the calculations for the most recent registration.

The Tenant provided detailed information in connection with the property in the completed Reply Form together with helpful photographs. No comparable evidence was provided by the parties. The Landlord did not provide any written submissions.

The Hearing

5. A hearing took place at 10.00am on the 16th August 2024 attended by the Tenant Mr Simpson. The Tribubal confirmed it had read the papers and asked Mr Simpson to present his case, with particular reference to the condition of the flat and the entrance. The Tribunal found the evidence submitted by Mr Simpson to be reliable and credible and had no reason to reject this.

Determination and Valuation

6. Having consideration of our own expert, general knowledge of rental values in the Sydenham area, we consider that the open market rent for the property in its current condition would be in the region of $\pounds 1,550$ per calendar month (From this level of rent we have made adjustments in relation to:

Terms of tenancy, no white goods, no carpets or curtains, rot infestation to sash windows, unmodernised condition, no central heating, evidence of mould to the walls via water penetration, poor rear entrance and location over commercial premises which equates to approximately **50%**

- 7. The Tribunal has also made an adjustment for scarcity at 20%
- 8.. The full valuation is shown below:

Market Rent £1,550 pcm

Less (as above) approx. **50% £**775

Leaves: £775

Less

Scarcity approx. 20% £155

Leaves: £620 pcm

9. The Tribunal determines a rent of £620 per calendar month

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 £620** 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 **£640.50** per calendar month. The calculation of the capped rent is shown on the decision form. In this case the lower rent of **£620.00** per calendar month is to be registered as the fair rent for this property.

Chairman: Duncan Jagger MRICS Date: 16 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