



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

Case Reference : **LON/00AW/F77/2024/0624**

Property : **Flat B, 105 Highlever Road, London,
W10 6PW**

Tenant : **Marilyn Berry**

Landlord : **Peabody Trust**

Date of Objection : **19 August 2024**

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

Tribunal : **Mrs S Phillips MRICS**

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

DECISION

The sum of £233.21 per calendar week will be registered as the fair rent with effect from 2 December 2024, being the date the Tribunal made the Decision.

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 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 written submissions provided by the Tenant and/the Landlord. There were no written submissions from the parties.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in good tenable condition would be in the region of £500.00 per calendar week. From this level of rent we have made adjustments in relation to:

Tenant's liability for repair;
No provision white goods;
No provision of floor coverings or curtains;

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

6. The full valuation is shown below:

Market Rent		per calendar week £500
<i>Less</i>		
Tenant's repair liability) 5%	
No white goods) 5%	
No floor coverings / curtains) 5%	
		<u>£75</u>
		£425
<i>Less</i>		
Scarcity	approx. 20%	<u>£85</u>
		£340

7. The Tribunal determines a rent of £340.00 per calendar week.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £340.00 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 £233.21 per calendar week. The calculation of the capped rent

is shown on the decision form. In this case the lower rent of £233.21 per calendar week is to be registered as the fair rent or this property.

Chairman: Mrs S Phillips MRICS

Date: 2 December 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 request for full reasons should be made within a month. Any subsequent application for permission to appeal should be made on Form RP PTA