



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

Case Reference : **LON/00AW/F77/2024/0271**

Property : **Flat 6B Hedgegate Court, Powis Terrace,
London W11 1JP**

Tenant : **Ms L Beauharnais**

Landlord : **Peabody Trust**

Date of Objection : **18th July 2024**

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

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

**Date of Summary
Reasons** : **29th October 2024**

DECISION

The sum of £244 per calendar week will be registered as the fair rent with effect from 28th October 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.
2. The parties did not request a hearing or inspection to determine this matter and the Tribunal agreed with this arrangement and considered this case on the basis of the papers provided by the parties and the Rent Officer with the assistance of Rightmove and Google Maps.

Evidence

3. The Tribunal received an email from the Tenant confirming the condition and location of the property the Tenant and the tenant together with the Rent Officers two Registrations and calculations for the most recent registration on the 18th June 2024.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the Notting Hill area, we consider that the open market rent for the property in its current condition would be in the region of **£600** per calendar week. (£2,600 per month) From this level of rent we have made adjustments in relation to:

Terms of tenancy, no white goods, no carpets or curtains, and location of the flat at basement level, this equates to approximately 20%

5. The Tribunal has also made an adjustment for scarcity at 20%
6. The full valuation is shown below:

Market Rent		£600	pw
<i>Less</i>	approx. 15%	£120	
		£480	
<i>Less</i>			
Scarcity	approx. 20%	<u>£96</u>	

£384.00

Decision

7. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was **£384.00** 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 £244.00.00 per calendar week. The calculation of the capped rent is shown on the decision form.

8. In this case therefore the lower rent of £244.00 per calendar week is to be registered as the fair rent of this property.

Chairman: Duncan Jagger MRICS Date: 29th October 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