



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

Case Reference : **Lon/00AT/F77/2024/0250**

Property : **41c Boston Park Road, Brentford,
Middlesex TW8 9JF**

Tenant : **Mrs Y Green & Mr B Green**

Landlord : **Peabody Trust**

Date of Objection : **27 June 2024**

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

Tribunal : **Mr D Jagger MRICS
Mr C Piarroux JP**

**Date of determination
and hearing venue** : **1 November 2024
10 Alfred Place, London, WC1E 7LR**

**Date of Summary
Reasons** : **1 November 2024**

DECISION

The sum of **£289.00** per week will be registered as the fair rent with effect from **1st November 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.

Evidence

2. The Tribunal has consideration of the Rent Officers calculations. The Tenant submitted written submissions. There was no evidence of rental levels for comparable properties in the area.

Hearing

3. A hearing took place at 10.00am on the 1 November 2024 which was attended by the Tenant's daughter Mrs McLoughlin. She stated that her parents were very concerned by the most recent Rent Registration and confused by the fact that her parents in the meanwhile have received a notice of increase from the landlord for a figure of £188.96 per week, and the Tribunal consider this matter at the end of this decision.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the Brentford area, together with the Tenant's submissions. The Tribunal considers that an achievable rent for a similar two-bedroomed property in a good marketable condition with reasonably modern kitchen and bathroom fittings, modern services with carpets curtains and white goods provided by the Landlord would be **£625** per week. (£2,700 per month)

5. From this level of rent we have made adjustments in relation to: no white goods, no carpets or curtains, the general condition of the property and the tenant's terms of the tenancy which equates to approximately **20%**

6. The Tribunal has made an adjustment of **20%** for scarcity as it considers there is a restricted supply of similar rental properties in the general area

7. The full valuation is shown below:

Market Rent		£625 pw
<i>Less</i>	approx. 20%	£125
<i>Terms and condition</i>		
	<i>Leaves</i>	£500
<i>Less</i>		
<i>Scarcity</i>	20%	£100

The Tribunal determines a rent of £400 per calendar week

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was **£400** per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at **£289**. per calendar week The calculation of the capped rent is shown on the decision form. In this case, the lower rent of **£289** per week is to be registered as the fair rent for this property effect from 1st November 2024 being the date the Tribunal made the Decision.

9. It is often the case that market rents are in excess of those that may be charged by a social landlord 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.

10. It is assumed that the landlord will by usual convention of social landlord's not to seek to increase the rent to this figure as a result of this determination. It is assumed the rent will increase to **£188.95** based upon the Government formula which is tied to inflation as set out in its notice of rent increase from Elly Hoults, the Chief Operating Officer at Peabody dated **15 July 2024** as a result of this determination.

Chairman: Duncan Jagger MRICS

Date: 1 November 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