



FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference : **LON/00AW/F77/2024/0648**

Property : **Flat 12, Robinson House, Bramley Road,
London W10 6RW**

Tenant : **Ms B Williams**

Landlord : **Catalyst Housing Ltd**

Date of Objection : **11 September 2024**

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

Tribunal : **Judge S Brilliant
Ms S Redmond MRICS**

Date : **14 January 2025**

DECISION

The sum of £316.00 per week will be registered as the fair rent with effect from **14 January 2025**, being the date the Tribunal made the Decision.

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 lease was granted on 25 April 1994. The property is a self-contained purpose built flat, built between 1914 and 1944, on the second floor of a four storey building. It has central heating and double glazing. It consists of four rooms, kitchen, bathroom/WC, W/C and balcony, off street parking and communal garden.

Inspection

3. The Tribunal did not inspect the maisonette but considered this case on the basis of the papers provided by the parties.

Evidence

4. The Tribunal has consideration of the photographs provided by the Tenant, which show parts of the flat to be in poor repair. The Tenant reported mould to the bathroom ceiling, an on-going mouse infestation to the block and a leaking WC reported in 2023.

Determination and Valuation

7. 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 £650.00 per week.

8. We make a deduction from the open market rent to allow for:

(a) the difference between the condition of the flat and a property in good tenable condition; and

(b) the decorating obligations in the lease; and

(c) the provision of white goods, floor coverings, curtains etc.

9. The amount we allow for reductions is 25%, giving an adjusted figure of £487.50 per week.

10. From this figure we deduct the service charge of £25.48 per week, resulting in a figure of £462.02

11. We allow a reduction of 20% for scarcity which is £92.40. This produces a figure of £369.62 per week.

12. It is then necessary to add back on the service charge of £25.48 per week.

13. This produces a fair rent of £395.10 per week.

Decision

14. The maximum fair rent calculation produces an MFR of £316.00. The Tribunal therefore determines a rent of £316.00 per week for the purposes of section 70 Rent Act 1977.

Chairman:

Simon Brilliant

Date: 14 January 2025

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the Tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the Regional Office which has been dealing with the case. The application should be made on the Tribunal Form RP PTA which is available at <https://www.gov.uk/government/publications/form-rp-pta-application-for-permission-to-appeal-a-decision-to-the-upper-tribunal-lands-chamber>.

The application for permission to appeal must arrive at the Regional Office within 28 days after the Tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the Tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the Tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking. **Please note that if you are seeking permission to appeal against a decision made by the Tribunal under the Rent Act 1977, the Housing Act 1988 or the Local Government and Housing Act 1989, this can only be on a point of law.**

If the First-tier Tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).

