



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

Case Reference : **HAV/29UQ/F77/2025/0600**

Property : **Flat 2
12 Rusthall Road
Tunbridge Wells
Kent
TN4 8RA**

Tenant : **Mr P Winter**

Representative : **None**

Landlord : **Ms A Day**

Representative : **None**

Type of Application : **Section 70 Rent Act 1977 (“the Act”)
Determination by the First-Tier Tribunal
of the fair rent of a property following an
objection to the rent registered by the
Rent Officer.**

Tribunal Members : **Mr I R Perry FRICS
Mr M C Woodrow MRICS
Judge C Rai**

Date of Objection : **10th December 2024**

**Date of Decision and
Summary Reasons** : **10th February 2025**

DECISION

The Tribunal determines a rent of £192.69 per week with effect from 10th February 2025.

SUMMARY REASONS

Background

1. On 5th October 2024 the Landlord applied to the Rent Officer for the registration of a new rent for the property in accordance with Section 70 of the Rent Act 1977.
2. The rent was previously registered at £164.50 per week on 21st October 2021 following a determination by the Rent Officer.
3. On 18th November 2024 the Rent Officer registered a new rent of £213.50 per week to take effect from 18th November 2024.
4. On 10th December 2024 the Tenant objected to this new rent and the matter was referred to the First-tier Tribunal Property Chamber (Residential Property), formerly a Rent Assessment Committee.

Inspection

5. The Tribunal did not inspect the property but considered this case based on the papers provided by the parties and information freely available on the internet.

Evidence

6. The Tribunal has considered the written submissions provided by both the Tenant and the Landlord.

Determination and Valuation

7. Having consideration to the comparable evidence provided and 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 £1,200 per calendar month. Rents are normally expressed as a monthly figure. This includes a reduction to allow for the unusual situation of the property adjacent to the Sunnyside Community Hall with its many associated uses and to reflect its situation within a mixed use building.
8. Such a tenancy would normally include white goods, carpets and curtains/blinds to all be provided by the Landlord and the Landlord would also be responsible for internal repair and decoration.
9. In this case the property is not let in such condition or with white goods, carpets and curtains all supplied so some adjustments to the 'open market rent' are necessary. The Tribunal has also made adjustments for the Tenant's responsibility for internal decoration, partial night store heating, lack of double glazing, Tenant's improvements including provision of kitchen fittings and French doors.

10. The Tribunal noted the number of properties with similar accommodation within a reasonable distance of the property that are available to rent and decided that no deduction for scarcity should be made.

11. The full valuation is shown below:

Full open market rent in good condition	£1,200
Less deductions for:-	
Tenants' liability for internal decoration	£55
Tenant's provision of white goods	£45
Tenant's provision of carpets and curtains	£65
Lack of central heating, double glazing/poor insulation	£100
Tenant's provision of kitchen, improvements including French doors	£100
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Total deduction per month	£365
TOTAL RENT PAYABLE PER MONTH	£835

12. Having made the adjustments indicated above, the Fair Rent determined by the Tribunal for the purpose of section 70 of the Rent Act 1977 was £835 per calendar month which equates to £192.69 per week.

13. The Section 70 Fair Rent determined by the Tribunal is below the maximum fair rent of £215 per week permitted by the Rent Acts (Maximum Fair Rent) Order 1999 details of which are shown on the rear of the Decision Notice and accordingly we determine that the limit set by the Order does not apply in this case.

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.