



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

Case Reference : **LON/00BB/F77/2024/0215**

Property : **172 Charlemont Road, East Ham,
London E6 6AQ**

Tenant : **Mr P Benson**

Landlord : **Secureland Investments Ltd**

Date of Objection : **16 April 2024**

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

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

Date of determination : **14 February 2025**

**Date of Summary
Reasons** : **14 February 2025**

DECISION

The sum of **£248.40** per week will be registered as the fair rent with effect from **14 February 2025** being the date the Tribunal made the Decision.

SUMMARY REASONS

Background

1. Following an objection from the Landlord to the determination of a fair rent by the Rent Officer on the 16 April 2024, 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 parties submitted limited written submissions which have been taken fully into account. Neither party provided the Tribunal with any comparable evidence.

3. It is evident that when the Rent Officer inspected the property, it was in a completely dilapidated and neglected condition. There was no heating system, electrical system disconnected, tin bath in the kitchen and no proper kitchen and sanitary fittings. The Rent Officer commented *“This flat is in such poor condition it would be extremely hard to let on the open market”*

4. It would appear following this inspection, Newham Borough Council condemned the property, and the Landlord subsequently undertook major refurbishment works to bring it up to a habitable standard which included gas central heating, replacement double glazed windows, new kitchen and sanitary fittings, rewiring and complete redecoration. The ramifications of these improvement works are considered in greater detail later in this decision.

Inspection

The Tribunal inspected the property on the 14 February 2025 in the presence of the Tenant, Mr Benson.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the East Ham area, together with the Tenant’s submissions. The Tribunal considers that an achievable rent for a similar two-bedroom flat 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 **£345 per week** (approximately £15,00 per month)

5. From this level of rent we have made adjustments in relation to: the tenant’s terms of the tenancy which equates to approximately **10%**

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 calculations for the valuation is shown below:

Market Rent		£345 pw
<i>Less</i>	approx. 10%	£34.50
<i>Terms</i>		
	<i>Leaves</i>	£310.50
<i>Less</i>		
<i>Scarcity</i>	20%	£62.10

8. **The Tribunal determines a rent of £248.40 per calendar week.**

Decision

9. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was **£248.40** per week.

10. Article 2 (7) The Rent Acts (Maximum Fair Rent) Order 1999 confirms *This article does not apply in respect of a dwelling-house if because of a change in the condition of the dwelling-house or the common parts as a result of repairs or improvements (including the replacement of any fixture or fitting) carried out by the landlord or a superior landlord, the rent that is determined in response to an application for registration of a new rent under Part IV exceeds by at least 15% the previous rent registered or confirmed.*

11. The Tribunal are of the opinion that the new rent exceeds the previously registered rent by at least 15% as a result of the works carried out by the Landlord. Therefore, in this case the capping arrangements do not apply to this application.

12. For these reasons the rent of **£248.40** per calendar week is to be registered as the fair rent for this property to take effect from the 14 February 2025 being the date the Tribunal made the Decision.

13. This is a significant increase in the former Registered Rent and the Tribunal sincerely hope the Landlord will take a sympathetic and pragmatic view due to the age and circumstances of this very elderly tenant.

Chairman: Duncan Jagger MRICS

Date: 14 February 2025

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