



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

Case Reference : **LON/00AE/F77/2025/0053**

Property : **Flat A 139 Wakeman Road, Kensal
Green, London NW10 5BH**

Tenant : **Miss Mary Holland**

Landlord : **Octavia Housing**

Date of Objection : **14 November 2024**

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

Tribunal : **Mr D Jagger MRICS**

**Date of Summary
Reasons** : **15 April 2025**

DECISION

The sum of £873.50 per annum will be registered as the fair rent with effect from 15 April 2025, 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.

Inspection

2. The Tribunal did not inspect the property, and the determination was based upon the documents provided by the parties and the Rent Officer together with Google Maps and Rightmove.

Evidence

3. The parties did not request a hearing, and the Tribunal has consideration of the Tenant's completed Reply Form and photographs. The parties did not provide the Tribunal with comparable evidence of rental values for similar properties in the area.

Determination and Valuation

4. Having consideration of our own expert, general knowledge of rental values in the Kensal Green area, we consider that the open market rent for the property in its current condition would be in the region of £2,300 per month. From this level of rent we have made adjustments in relation to:

The terms of tenancy, no white goods, no carpets and curtains, evidence of damp and mould and rodent infestation, which equates to approximately 30%

5. The Tribunal has also made an adjustment for scarcity at 20%

6. The full valuation is shown below:

Market Rent		£2,300 pm
<i>Less</i>	approx. 30%	£690
		<u>£1,610</u>
<i>Less</i>		
Scarcity	approx. 20%	<u>£322</u>
		£1,288

7. **The Tribunal determines a rent of £873.50 per calendar month.**

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £1,288 per month. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £873.50 per month. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £873.50 per month is to be registered as the fair rent for this property.

9. It is often the case that market rents are in excess of those that may be charged by social landlords 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. It is assumed that the landlord will by usual convention of social landlords not seek to increase the rent proposed in its original notice as a result of this determination.

Chairman: Duncan Jagger MRICS Date: 15 April 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