



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

Case Reference : **FR/LON/00BK/F77/2025/0071**

Property : **Flat A, 70 Elgin Avenue, London W9
2HB**

Tenant : **Elizabeth Felix**

Landlord : **Octavia Housing**

Date of Objection : **22 November 2024**

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

Tribunal : **R Waterhouse FRICS**

Date : **28 April 2025**

DECISION

The sum of £293.50 per week will be registered as the fair rent with effect from 28 April 2025, being the date the Tribunal made the Decision.

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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 but considered this case on the basis of the papers provided by the parties.

Evidence

3. There were no written submissions from the parties.

Determination and Valuation

4. Having consideration of the comparable evidence proved by the parties and our own expert, general knowledge of rental values in the area, we consider that the open market rent for the property in good tenantable condition would be in the region of £4500.00 per calendar month. From this level of rent we have made adjustments in relation to:

The property is noted as not having central heating, and the tenancy dates from 1984 so the condition of the property will be below that of a contemporary letting.

5. The Tribunal has also made an adjustment for scarcity.

6. The full valuation is shown below:

Market Rent	per calendar month	£4500.00
Less		
No central heating	10%	
Specification for a1984	10%	
		£450.00
450		-----
£3600		
Less		
Scarcity	approx. 20%	<u>£720.00</u>
		£2880.00 per month

7. The Tribunal determines a rent of £2880.00 per calendar month and this equates to £664. 61 per week.

Decision

8. The uncapped fair rent initially determined by the Tribunal, for the purposes of section 70, was £664.61 per week. The capped rent for the property according to the provisions of the Rent Acts (Maximum Fair Rent) Order 1999 is calculated at £293.50 per week. The calculation of the capped rent is shown on the decision form. In this case the lower rent of £293.50 per week is to be registered as the fair rent of this property.

Chairman: R Waterhouse FRICS
Date: 28 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 request for full reasons should be made within a month. Any subsequent application for permission to appeal should be made on Form RP PTA