



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

Case Reference : **ME/LON/00AG/F77/2025/0193**

Property : **Basement Flat, 32 Greencroft
Gardens, London Nw6 3LU**

Tenant : **Helen Simpson**

Landlord : **B Meyer**

Date of Objection : **8 April 2025**

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

Tribunal : **R Waterhouse FRICS
L Packer**

Date of Decision : **29 September 2025**

DECISION

The sum of £1,408.00 per calendar month will be registered as the fair rent with effect from 29 September 2025, being the date the Tribunal made the Decision.

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Full REASONS

Background

1. The landlord submitted an application, received by the Rent Officer on 19 December 2024, to register a fair rent. The landlord proposed £4500 per month. Previous to the application the Rent Officer had registered a fair rent of £782.50 per month effective from 5 March 2017. Following the application the Rent Officer registered a fair rent of £1625.00 per month effective from 12 February 2025. Following an objection from the Tenant on 8 April 2025 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 case was heard on 11 September 2025, with a subsequent inspection taken place on the 29 September 2029. The hearing was attended by the tenant Helen Simpson. David Tait of Safer Renting representing Helen Simpson. The landlord B Meyer represented himself.

Inspection

3. The property is described as a self-contained converted flat, with central heating, comprising three rooms, one kitchen, one bathroom with WC and a garden.

4. The Tribunal inspected the property on 29 September 2025. The landlord was not present. The Tribunal found that the property was accessed through a separate entrance. The landlord has carried out work to repair the drainage of the property. The work to reinstate the property after the works required replacement of the entire floor of the property. All the walls and ceilings have been repainted. The property's electrics were removed during the work and were replaced by the exact same number of sockets, except for the addition of one contained within a cupboard in the kitchen.

5. The property has double glazing to the rear installed by the landlord some 6 years ago. Single glazed windows remain at the front. All rooms have radiators supplied by a gas boiler,

6. The property's door opens to an internal hallway. The hall has a new floor, painted ceiling and a radiator. The first immediate room is a small bathroom, with WC, sink and standard white bath suite, fully tiled wall and floor, sloped ceiling, small single pane window with extractor fan within the windowpane. The window is cracked.

7. The kitchen has an aged sink and drainer, free standing dishwasher and cooker provided by the landlord. The other white goods and the wall and base units are the tenant's. There is a small pantry / cupboard in the kitchen, also a boiler and extractor fan attached to the wall, with exposed pipes above the sink unit. The boiler was replaced by the landlord, who had supplied the previous boiler.

8. There are two bedrooms, one larger than the other, created by division of the original back kitchen and its window. Both have double glazed windows, radiators, and new flooring. Both look out over the tenant's small garden, but

have limited natural light. In the larger bedroom, there is evidence of a water leak through the ceiling at two or three points.

9. To the front of the property is a living room, again with central heating, new floor and single glazed windows. There is an outside brick cupboard, accessible from the living room, which is damp.

10. The property has access through its small private garden to a substantial and well-maintained communal garden running along the back of Greencroft Gardens.

Evidence

Submission by the tenant

11. The tenant submitted a completed Reply Form.

12. David Tait of Safer Renting submitted an email addressed to the Rent Officer dated 17 April 2025, noting that Ms Simpson vacated the flat in June 2024, due to the condition of the property.

13. Within the submissions available to the tribunal was a document titled Inspection 12 February at 2:30pm. The inspection, which is not signed, presumably carried out by the Rent Officer notes that the property is refurbished to a basic standard, all whites painted white and laminate flooring laid throughout the property; that there are single pane windows to the front; and double-glazed windows to the rear.

14. Specifically, the note describes “Improvements - decorated internally, new floor covering, double glazed windows to rear, new bathroom suite, dishwasher and cooker provided by landlord. “

15. Four photographs of the flat are presented showing, flooring of board type in poor condition.

16. A completed reply form of 37 pages the contents of which were noted.

Submission by the landlord

17. The landlord’s written submissions were noted. At the hearing the landlord outlined the works and there intended outcome, that is functioning drainage system under the subject flat. He told the Tribunal that he accepted the Rent Officer’s starting point of £2,200 per calendar month for his assessment of the fair rent.

Determination and Valuation

18. The tribunal found that the tenant had been relocated from the subject property to another property while the landlord carried out works. The works to the subject property were; (i) replacement floor, designed to replace the previous in disrepair and prevent liquid ingress from below, (ii) redecoration of

the ceiling and walls (iii) replacement of floor tiles and wall tiles of the bathroom, but with original bathroom suite remaining and (iv) new floor but with the original sink drainer reinstated, (v) the electrics removed and replaced, but not improved other than a single additional socket in cupboard in kitchen.

19. Having consideration of the comparable evidence proved by the parties and our own expert general knowledge of rental values in the area, the Tribunal agrees with the Rent Officer's assessment of the open market rent for the property in good tenable condition and with access to communal gardens of **£2,200 per calendar month**. From this level of rent we have made adjustments in relation to: (i) terms and conditions the tenancy dates from 1986, and the terms are likely to be different and more onerous than the contemporary tenancies from which the comparables are derived (ii) improvements made by the tenant.

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

Valuation reflecting the landlord's works

22. The full valuation for the property post landlord works is shown below:

Market Rent	£2,200 pcm
Less: 10% for terms and conditions of old tenancy; 5% for white goods supplied by tenant; 5% for damp ceiling.	£440 pcm

	£1,760 pcm
Less 20% for scarcity	£352 pcm

	£1,408 pcm

23. The Tribunal determines a rent under section 70 of **£ 1,408 pcm, post works condition**.

Valuation assuming no landlord works carried out

Market Rent £2,200 pcm

Less: 10% for terms and conditions
of old tenancy;
20% for old floor, poorer
decoration, damp/odour
penetration through floor;
5% for damp ceiling;
5% for white goods supplied by
tenant.

£880 pcm

£1,320 pcm

Less 20% for scarcity

£264 pcm

£1,056 pcm

Do the capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 apply?

25. Paragraph 7 of The Rent Acts (Maximum Fair Rent) Order 1999 provide that

“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.”

26. The Tribunal determines the rent under section 70 pre works to be £1,056 pcm. The Tribunal determines the rent post works to be £1,408 pcm. This is a difference of 33.33%, and so the capping provisions do not apply.

Decision

27. The application of The Rent Acts (Maximum Fair Rent) Order 1999 paragraph 7 requires the tribunal to consider all works carried out by the landlord irrespective of reason when determining whether the impact of the works increases the rent before and after the works by 15% or more.

28. In this case the tribunal has determined the value under section 70 pre and post works and that the difference is in excess of the 15% threshold. In the circumstances therefore the capped rent does not apply.

29. The rent calculated under section 70 for the current condition is **£1,408 pcm**, effective from the date of the hearing which is **29 September 2025**.

Chairman: R Waterhouse FRICS

Date: 29 September 2025

Appeal to the Upper Tribunal

A person wishing to appeal this decision to the Upper Tribunal (Property Chamber) on a point of law must seek permission to do so by making a written application to the First-tier Tribunal at the Regional Office which has been dealing with the case which application must:

- a. be received by the said office within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
- b. identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.

If the application is not received within the 28 –day time limit, it must include a request for an extension of time and the reason for it not complying with the 28- day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.