



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

Case Reference : **LON/00BD/F77/2025/0244**

Property : **5 Willow Bank, Richmond, Surrey,
TW10 7QY**

Tenant : **Tim Whitehead**

Landlord : **Richmond Foundation represented by
Alice Creighton of Jackson- Stops.**

Date of Objection : **25 July 2025**

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

Tribunal : **R Waterhouse FRICS
J Francis QPM**

Date of Decision : **5 December 2025**

DECISION

The sum of £1792 per calendar month will be registered as the fair rent with effect from 5 December 2025, being the date the Tribunal made the Decision.

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Full REASONS

Background

1. The landlord submitted an application, dated 12 May 2025, to register a fair rent of £1574.50 per month. Previous to the application the Rent Officer had registered a fair rent of **£1408.50 per month effective from 22 June 2021**. Following the application the Rent Officer registered a fair rent of **£1710.00 per month effective from 4 July 2025**. Following an **objection from the Tenant on 25 July 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. Directions were issued on 3 September 2025. The case was heard on 5 December 2025, with a subsequent inspection taking place on the same day. The hearing was attended by the tenant Mr Tim Whitehead. For the landlord Richmond Foundation, Alice Creighton Head of Property Management at Jackson-Stops the managing agent appeared.

Inspection

3. The property is described in the Rent Register as a terraced house with full central heating, comprising on the ground floor one kitchen / diner one shower room / WC and a store, on the first floor two rooms and on the second three rooms and 1 bath/WC.

4. The Tribunal inspected the property and found. the property to be located in a residential area dating from the 1960s and 1970s. The property itself is a three-storey house in a short terrace of similar. The property is approached from the road by a path there is a car hard standing and a small garden also at the front.

5. The property on the ground floor has a hall, which leads to a door which in turns leads to the garage integral to the property. Also, from the hallway leads to a living room, kitchen / diner. There is a garden with a shed accessed from the living room. There is also a WC on the ground floor. The kitchen is in reasonable condition.

6. The ground floor hall leads to stairs to the first floor. On the first floor there are two rooms. Stairs then to the second floor there are a further three rooms and a bathroom. The bathroom contains sink, bath and WC, the room is tiled and in good condition.

7. The property has central heating and double glazing.

Evidence

Submission by the tenant

8. The tenant submitted a number of documents these included; a completed Reply Form, a copy of a letter from the Richmond Foundation dated 29 September 2025 and various other communications between the landlord and tenant regarding the rent.

9. The completed Reply Form, undated, noted the tenant's requirement for an inspection and a hearing and confirmed the property to be a house over three floors, comprising four bedrooms, two living rooms a kitchen/dining area and a bathroom. The Reply Form provided the dimensions of these rooms.

10. The letter from the Richmond Foundation dated 29 September 2025 responding to Mr Whitehead's enquiries. The letter notes the history of rent increases at the property.

11. A copy of a letter from L&Q showing a rent of £211.34 in respect of 9 Reynolds Place.

12. A copy of a bank statement untitled from March 2016.

13. A copy of a letter from Mr Whitehead outlining his concerns in relation to the size of the rent increase and the nature of the charitable trust that owns the property.

14. A schedule containing addresses dates and rents from the area. It is not clear how large the properties are, nor the status of the tenancy or the basis of the rents shown.

15. There is a note dated 1 12 25, requesting the inclusion of three letters, it is understood from the letter that these have been shared with the landlord, and the landlord has not objected to their inclusion.

16. Mr Whitehead the tenant was accompanied by his son. Mr Whitehead submission described the history of his housing by the Richmond Foundation, he had been a tenant for 38 years since 1987 and initially in a maisonette but as his family grew to six in number he was housing by Richmond Foundation in Willow Bank in a house the foundation had specifically purchased. The current occupancy of Willow Bank commenced in 1997. The property over the years had experienced a number of defects and the foundation had repaired these but, on some occasions, this had not been speedily attended to as Mr Whitehead had liked. The property currently was free of any specific defects. The furnishings; that is carpets, curtains and white goods are the property of the tenant. The responsibility for internal decoration also falls to the tenant.

17. In terms of improvements, the kitchen was replaced by the landlords however, Mr Whitehead contributed in order to have solid wood doors to the units.

18. Mr Whitehead in terms of an opinion of rental value said that this was difficult however similar properties could be available in the open market only contemporary tenancies at £3000 to £3500 per month.

19. Mr Whitehead was very concerned over what was described as a change of policy by the Richmond Foundation. For the vast majority of Mr Whitehead's relationship with the Richmond Foundation, the level of rent demanded was below that of the Registered Fair Rent. The previous registration had been on 22 June 2021 at £1408.50. The Foundations policy had changed and now the

full registered rent was to be charged. Mr Whitehead observed that he felt a charity whose purpose was to look after the needs of people in Richmond was going to cause their tenants to be made poorer.

20. The tribunal explained that the sole focus of the tribunal was on the determination of the fair rent and the individual circumstances of the tenant or landlord were not material.

Submission by the landlord

21. The landlord submitted a letter to Mr Whitehead from Richmond Foundation that explained the rental history of the property and the Foundation's policy in respect of the level of rents levied.

Tribunal findings

22. The tribunal finds the property to be in good condition but below that anticipated for modern contemporary letting.

23. The white goods, carpets and curtains are supplied by the tenant. The double glazing and central heating are provided by the landlord.

Determination and Valuation

Valuation

24. In determining the level of rent for the fair rent, the tribunal must carry out a valuation under section 70 of the Rent Act 1977 and then an assessment under the Rent Acts(Maximum Fair Rent) Order 1999. The latter assessment is dependent on the inflation rate between the last registered rent and the date of the current determination which is the date of hearing. The tribunal must then adopt the lower of the two figures as the fair rent to be registered.

25. Having consideration of the comparable evidence proved by the parties and our own expert general knowledge of rental values in the area, the Tribunal adopts the figure of **£3200.00 per calendar month**.

26. From this level of rent we have made adjustments in relation to: (i) terms and conditions the tenancy that is the tenant is responsible for internal decoration which is more onerous than contemporary tenancies from which the comparables are derived (ii) improvements made by the tenant, the kitchen doors, (iii) the supply of curtains and carpets and (iv) general condition of the property compared with contemporary lettings.

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

Market Rent

£3200pcm

Less: 30% for (i) to (iv) above;

£ 960 pcm

£ 2240 pcm

Less 20% for scarcity

£ 448 pcm

£ 1792 pcm

28. The Tribunal determines a rent under section 70 of **£ 1792 pcm**.

Decision

29. The rent calculated under section 70 Rent Act 1977 is £1792 pcm.

30. The rent calculated under the Rent Acts (Maximum Fair Rent) Order 1999 is £1958 pcm. The rent calculated under section 70 of the Rent Act 1977 rent is lower than the rent calculated under the Rent Acts (Maximum Fair Rent) Order 1999. Therefore, the tribunal determines the rent to be registered is £1792 pcm with effect from 5 December 2025.

Chairman: R Waterhouse FRICS

Date: 5 December 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.