



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

Case Reference : **LON/00BB/F77/2025/0268**

Property : **Flat A, 2 Benson Avenue, London E6
3ED**

Tenant : **Mr A Dunne and Ms T Dunne**

Landlord : **L&Q**

Date of Objection : **28 August 2025**

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

Tribunal : **R Waterhouse FRICS**

Date of Decision : **11 December 2025**

DECISION

The sum of £140.00 per week will be registered as the fair rent with effect from 11 December 2025, being the date the Tribunal made the Decision.

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Full REASONS

Background

1. The landlord submitted an application, dated 11 June 2025, to register a fair rent of £107.25 per week. Previous to the application the Rent Officer had registered a fair rent of **£97.50 per week effective from 14 October 2020**. Following the application the Rent Officer registered a fair rent of **£138.50 per week effective from 29 July 2025**. Following an **objection from the Tenant on 28 August 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 15 October 2025. The determination was carried out on the papers and without an inspection. Neither party requested an inspection nor a hearing.

Inspection

3. The property is described in the Rent Register as a self-contained maisonette built around 1897, modernised with full central heating comprising – on the ground floor, one room, and one kitchen, on the first floor three rooms, and a bath/WC outside there is a garden.

Evidence

Submission by the tenant

4. The tenant submitted a written objection.

5. The written objection dated 28 August 2025 stated “I am finding it very hard to understand why you are increasing our rent when L&Q do not maintain this property and never have for the whole duration, I have been which has been 20 plus years. The only time they attend is to check the gas boiler which is under regulations. I have renewed the fences in the rear garden, installed a £9000 kitchen, I have also refurbished the bathroom all at my own cost. I recently asked for the front of the property to be redecorated as it has deteriorated at a fast rate and they have declined. Therefore, I they [sic] are not maintaining the property as they should so do not see why an increase is necessary as I maintain this.”

6. No further information was received from the tenant.

Submission by the landlord

7. Other than the initial Application to register a fair rent no other submissions were received from the landlord.

Tribunal findings

8. The tribunal finds the uncontested nature of the subject property is; a self-contained maisonette built around 1897, modernised with full central heating comprising – on the ground floor, one room, and one kitchen, on the first floor three rooms, and a bath/WC outside there is a garden.

9. The tribunal has taken the evidence as to condition described in the objection letter, which is uncontested, to make a finding on the quality of the property.

Determination and Valuation

Valuation

10. 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.

11. 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 **£2100.00 per calendar month**.

12. 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, fence

(iii) the supply of curtains and carpets and

(iv) general condition of the property compared with contemporary lettings.

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

Market Rent	£2100pcm
Less: 30% for (i) to (iv) above;	£630 pcm

	£1470 pcm
Less 20% for scarcity	£294 pcm

	£ 1176 pcm

14. The Tribunal determines a rent under section 70 of **£1176 pcm** which is equivalent to **£271.38 per week**.

Decision

15. The rent calculated under section 70 Rent Act 1977 is £271.38 per week.

16. The rent calculated under the Rent Acts (Maximum Fair Rent) Order 1999 is £140.00 per week. The rent calculated under section 70 of the Rent Act 1977 rent is higher than the rent calculated under the Rent Acts (Maximum Fair Rent) Order 1999. Therefore, the tribunal determines the rent to be registered is £140.00 per week with effect from 11 December 2025.

Chairman: R Waterhouse FRICS

Date: 11 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.