



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

Case Reference : **HS/LON/00AG/F77/2025/0332**

Property : **32 Auden Place, London, NW1 8NB**

Tenant : **Ms N Aptowitz**

Landlord : **The Riverside Group**

Date of Objection : **11 November 2025**

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

Tribunal : **R Waterhouse FRICS
C Piarroux JP**

Date of Decision : **9 March 2026**

DECISION

The sum of £265.50 per week including services of £21.26 per week, will be registered as the fair rent with effect from 9 March 2026, being the date the tribunal made the Decision.

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Full REASONS

Background

1. The tenant Ms N Aptowitzer took occupancy of the property in April 2025. Ms N Aptowitzer was previously residing at 86 Juniper Crescent, London, NW1 8HQ. The landlord was undertaking a landlord regeneration programme and needed to rehouse Ms N Aptowitzer, which they did as an internal secure tenant.
2. The Landlord; The Riverside Group, made an application to register a fair rent dated 15 September 2025. Where the landlord requested a rent of £ 222.35 per week, with £21.26 per week for services which is included with the rent.
3. Ms N Aptowitzer is a protected tenant and has been provided accommodation that was previously occupied by another protected tenant. The previous tenant had been in occupation under a tenancy dated from 1976. The previous registered rent for that tenancy was £163.00 per week including a service charge of £7.57 per week. Registered and effective from 17 December 2014.
4. After the application to register a new fair rent, the Rent Officer registered a fair rent of £265.50 per week which is inclusive of a service charge of £3.92 per week registered and effective from 4 November 2025.
5. The tenant objected to the Rent on 11 November 2025, stating that her tenancy it is asserted had a rent of £199.08 per week, excluding service charges.

Directions

6. Directions were issued on 11 December 2025.

The Property

7. The property is described in the rent register as a self-contained purpose built flat, built between 1965 and 1980, with full central heating, comprising three rooms, one kitchen, one bathroom, one WC and a storeroom.

Submissions

Applicant

8. The Applicant attended the hearing; there was no request to inspect the property from either party.
9. The Applicant described the property as being on the second floor of a purpose-built council block. The property was described as tidy and in good order, with the original bathroom, kitchen present. In terms of the kitchen, the tenant noted in the previous property the cooker had been in their ownership, and in this property the landlord had supplied the cooker. The fridge freezer and the washing machine were the tenants. The property has an oil gas boiler functional, with radiators to all rooms. The flooring is said to be new vinyl.
10. The Applicant completed a Reply Form the contents of which the tribunal notes. The Applicant did not propose a valuation.

Respondent

11. The Respondent made no submissions other than the original request to register a rent.

Determination and Valuation.

12. In this case, the property had the benefit of a registered rent. That registered rent rests with the property and so forms a basis in the determination of the new fair rent. The tenant remains a protected tenant.

13. 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.

14. The tribunal has considered the nature of the property. Given its locality, the tribunal considers the rental value of the property in good contemporary condition to be £550.00 per week including service charge.

15. The property departs from contemporary condition in terms of the dated kitchen and bathroom.

16. Additionally, the £550.00 per week is on the assumption of a contemporary assured shorthold tenancy. The subject property tenancy is a protected tenancy and has responsibility for internal repairs and decoration with the tenant. Also, in a contemporary assured shorthold tenancy there would be the expectation the landlord would supply all the white goods.

17. The tribunal therefore makes the following adjustments;

Market rent including responsibility for service charge	£550.00 per week
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Deduction for terms and white goods (10%)	
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Deduction for dated kitchen and bathroom (10%)	
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Deduction for scarcity (20%)	
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Net rent	£ 330.00 per week.
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18. The tribunal determines a rent under section 70 of £330.00 per week including a service charge of £21.26 per week.

19. With the property having the benefit of a previous registered rent, the Rent Acts (Maximum Fair Rent) Order 1999 applies, under that calculation the maximum fair rent is £265.50 per week including a service charge of £21.26 per week.

Decision

19. The rent calculated under section 70 Rent Act 1977 is £330.00 per week including a service charge of £21.26 per week which is higher than the rent calculated under the maximum fair rent Order 1999 which is £265.50 per week including £21.26 per week. The latter is determined with effect from 9 March 2026.

Chairman: R Waterhouse FRICS

Date: 9 March 2026

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.