



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

Case Reference : BIR/00CS/F77/2025/0026

Property : 21 Vantage Point, Blacksmith Way, West Bromwich,
West Midlands, B70 7SX

Tenant : Mr I. Allen

Landlord : Black Country Housing Group Limited

Landlord's agent : None

Date of Objection : 6 August 2025

Type of Application : Section 70 Rent Act 1977

Tribunal Members : I.D. Humphries B.Sc.(Est.Man.) FRICS
A. Churchill B.Sc. MRICS

Date of Decision : 10 March 2026

DECISION

The sum of £111.00 per week will be registered as the Fair Rent with effect from 10 March 2026 being the date the Tribunal made the Decision.

REASONS FOR THE DECISION

Background

- 1 The Rent Officer registered a rent of £110.00 per week including £92.41 per week for services, plus £23.01 per week for heating, on 16 July 2025, effective from 23 July 2025. Following an objection from the Landlord 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 has considered the case based on the papers provided by the parties and having regard to its own knowledge, expertise and online research.

Description

- 3 From the submitted papers, the accommodation comprises a flat in a purpose built block built since 2000 with a hall, living room, kitchen, bedroom and bathroom. There is a car space and access to a garden area.

Evidence

- 4 The Landlord objected to the Rent Officer's figure as they had two other properties let on the same terms as the subject property where the rents were different. They pointed out that with a registered rent of £110.00 per week of which £92.41 was for services, the rent element must be less than £20 per week, which was unfair to other tenants such as the tenant of No.26 where the rent element was £100.00 alone, to which other charges were added.
- 5 Furthermore, the Landlord drew attention to their own rent increase policy that prohibited the maximum increase they could charge to any increase in the Consumer Price Index ('cpi') plus 1% over the period since the last increase.
- 6 The Tenant commented that the average range of rents for this type of accommodation in the area was between £725 and £775 per month, and the proposed increase was greater than inflation over the period since the last review.
- 7 The rents for flats at the higher end of the scale were for better accommodation where some flats had concierges, on site gyms, cafes, gardens, private balconies and regular window cleaning and which was finished to a higher standard than the subject flat which overlooked the rear exit of a bowling centre with a cctv camera facing the tenant's window.
- 8 Furthermore, there had been consistent problems with the flat and particularly the cooker during the tenancy. The common parts were poorly maintained and the main entry door lock had broken, leaving the access open to the homeless and mail thieves.

On one occasion human excrement had been left in the corridor and a person was found asleep on a sofa in the common area. The fire alarm had malfunctioned last year and been left in this state for months.

Determination and Valuation

- 9 The Tribunal has considered the evidence provided by the parties but the 'services' provided are no more than offered by private landlords in similar rental accommodation, where tenants pay rents without additional charges for the costs of management or normal maintenance of common parts. Private landlords would normally be expected to pay for costs such as a door entry system, communal lighting, lift repairs, a tv aerial system etc., which are reflected in the market rents they can charge and which form the basis of a fair rent assessment under the Rent Act 1977.
- 10 The Landlord requests a market rent of £187.50 pw (equivalent to £812.50 pcm) and the tenant's view is that the rental value is around £173.07 (£750 pcm). Both figures include the 'services' identified by the landlord at £92.41 per week. From the information provided, we find the market rent to be £170.00 per week including the 'services' before consideration of condition, carpets and curtains, white goods, the tenant's decorating liability, scarcity or a rent cap.
- 11 There have been issues with the condition of the block for which we deduct £5.00/week.
- 12 The tenant has installed the carpets and curtains for which we deduct £5.00/week and white goods for which we deduct a further £3.50/week.
- 13 The tenant is responsible for internal decoration for which we deduct 5% of the market rent.
- 14 The Tribunal has made an adjustment for scarcity using its own general knowledge and experience. The Tribunal considers that in the wider geographical area there is an imbalance of supply and demand impacting on rental values and has therefore made a deduction of 10% for scarcity.
- 15 The Tribunal's valuation is therefore as follows:

Market Rent	£170.00 pw
<u>Less</u>	
Condition of block	£ 5.00 pw
Tenant's carpets and curtains	£ 5.00 pw
Tenant's white goods	£ 3.50 pw
Tenant's decorating liability	<u>£ 8.50 pw</u>
	£148.00 pw
Scarcity @ 10%	<u>£ 14.80 pw</u>
	£133.20 pw

Decision

- 16 The Fair Rent calculated by the Tribunal is £133.20 per week. However, the maximum fair rent permitted by the Rent Acts (Maximum Fair Rent) Order 1999 is capped at £111.00 per week which limits the rent determined by the Tribunal. The calculation of the capped rent is shown on the decision form.
- 17 The Tribunal therefore determines the Fair Rent as £111.00 (One Hundred and Eleven Pounds) per week with effect from 10 March 2026.

Chairman: I D Humphries

Date: 10 March 2026

APPEAL PROVISIONS

If either party is dissatisfied with this decision, they may apply for permission to appeal to the Upper Tribunal (Lands Chamber) **on any point of law arising from this Decision**. Prior to making such an appeal, an application must be made, in writing, to this Tribunal for permission to appeal. Any such application must be made within 28 days of the issue of this statement of reasons (regulation 52 (2) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013) stating the grounds upon which it is intended to rely in the appeal.

Notice of the Tribunal Decision

Rent Act 1977 Schedule 11

Address of Premises

21 Vantage Point, Blacksmith Way, West Bromwich, B70 7SX

The Tribunal members were:

I D Humphries B.Sc.(Est.Man.) FRICS
A Churchill B.Sc. MRICS

Landlord

Black Country Housing Group Limited

Tenant

Mr I Allen

1. The fair rent is

£111.00

Per

week

(excluding water rates and council tax but including any amounts in paras 3&4)

2. The effective date is

10 March 2026

3. The amount for services is

£92.41

Per

week

4. The amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance is

£23.01

Per

week

5. The rent is not to be registered as variable.

6. The capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 apply (please see calculation overleaf).

7. Details (other than rent) where different from Rent Register entry

N/A

8. For information only:

The fair rent to be registered is the maximum fair as prescribed by the Rent Acts (Maximum Fair Rent) Order 1999. The rent that would have otherwise been registered was £133.20 per week.

Chairman

I D Humphries

Date of decision

10 March 2026

MAXIMUM FAIR RENT CALCULATION

LATEST RPI FIGURE x

PREVIOUS RPI FIGURE y

X Minus y = (A)

(A) divided by y = (B)

First application for re-registration since 1 February 1999 - NO

If yes (B) plus 1.075 = (C)

If no (B) plus 1.05 = (C)

Last registered rent* Multiplied by (C) =

*(exclusive of any variable service charge)

Rounded up to nearest 50 pence =

Variable service charge - No

If YES add amount for services

MAXIMUM FAIR RENT = Per

Explanatory Note

1. The calculation of the maximum fair rent, in accordance with the formula contained in the Order, is set out above.
2. In summary, the formula provides for the maximum fair rent to be calculated by:
 - (a) increasing the previous registered rent by the percentage change in the retail price index (the RPI) since the date of that earlier registration and
 - (b) adding a further 7.5% (if the present application was the first since 1 February 1999) or 5% (if it is a second or subsequent application since that date).

A 7.5% increase is represented, in the calculation set out above, by the addition of 1.075 to (B) and an increase of 5% is represented by the addition of 1.05 to (B).

The result is rounded up to the nearest 50 pence.
3. For the purposes of the calculation the latest RPI figure (x) is that published in the calendar month immediately before the month in which the Committee's fair rent determination was made.
4. The process differs where the tenancy agreement contains a variable service charge and the rent is to be registered as variable under section 71(4) of the Rent Act 1977. In such a case the variable service charge is removed before applying the formula. When the amount determined by the application of the formula is ascertained the service charge is then added to that sum in order to produce the maximum fair rent.