



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

Case Reference : **JD/LON/00AE/F77/2026/0109**

Property : **49 Callcott Road, London NW6 7EE**

Tenant : **Irene Les**

Landlord : **Timro Investment Management**

Date of Objection : **10 May 2026**

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

Tribunal : **R Waterhouse FRICS**

Date of Decision : **30 June 2026**

DECISION

The sum of £230.00 per week, will be registered as the fair rent with effect from 30 June 2026, being the date the Tribunal made the Decision.

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Full REASONS

Background

1. The landlord submitted an application, 14 January 2026, to register a fair rent of £17,704.44 per year. Previous to the application the Rent Officer had registered a fair rent of £291.00 per week on 30 January 2024.

2. Following the application the Rent Officer registered a fair rent of £327.50 per week effective from 5 March 2026. Following an objection from the tenant on 10 May 2026 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.

3. Directions were issued on 5 May 2026.

The Property

4. The Tenant in their Reply Form received 18 May 2026 noted they did not require an inspection nor a hearing. The landlord with their Reply Form similarly did not want an inspection but were silent on the need for a hearing. The tribunal finds that a hearing and inspection would be disproportionate and so determines it will make the determination on the papers.

The Inspection

9. The tribunal did not inspect the property but decided the issue on the papers. The rent register describes the property as; 2 rooms, one kitchen, one roof terrace and a shower /WC. Additionally, that there is full central heating. The tenants Reply Form notes the floor being the second.

Evidence

Submission by the tenant

10. The tenant submitted a Reply Form, noted the property is a flat, on the second floor without lift access noting the size of rooms, layout and nature of ceiling heights.

11. The Form noted that the property is has double glazing and central heating but does not note who provided. However, the form does not that carpets, curtain and white goods are supplied by the tenant.

The tenant notes that they used to have a roof terrace but that it was removed and not replaced. The tenant notes this should be reflected in the rental level.

The tenant noted that there had been no improvements since 2005.

Submission by the landlord

16. The landlord submits by Reply for that they provided the central heating, but not double glazing, and that the landlord provided the carpets, curtains and white goods.

17. The landlord submits there is a balcony.

Nature of flat to be determined

17. The tribunal determines that the nature of the flat for which the rent is to be determined is that of the 1976 condition but with the landlord's improvements of wiring and double glazing.

The tribunal finds that the landlord suggests they provided the central heating and the tenant did not contest. The tribunal finds the central heating was provided by the landlord.

The tribunal finds that the tenant says double glazing is present, but they do not note who provides, the landlord, states there is no double glazing. The tribunal referred to internet mapping sources, and the property appears to have double glazing. The tribunal finds double glazing was present.

The tribunal finds the tenant says they are responsible for carpets, curtains and white goods. The landlord says that the landlord is so responsible. The tribunal finds on balance that tenancies of this nature predominately have the carpets, curtains and white goods supplied by the tenant and finds this to be the case in the absence of any contradictory evidence.

In respect of roof terrace and or balcony the tribunal prefers the evidence of the tenant that is more comprehensive in this matter and finds there is no balcony.

Valuation

18. 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. The tribunal cannot take into account the financial circumstances of the tenant in determining the rent.

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 adopts the figure of £1800.00 per calendar month, which equates to £415.38 per week.

20. From this level of rent we have made adjustments in relation to: (i) terms and conditions of the tenancy that is the tenant is responsible for internal decoration which is more onerous than contemporary tenancies from which the comparables are derived 2.5% (ii) the condition as at the start of the tenancy compared with the condition of properties in a contemporary letting, including single glazing, no outside space, (November 1975) 20% (iii) the supply of curtains, flooring and white goods 2.5% and (iv) scarcity 20%.

Market Rent £415.38 per week

Less: 25% for (i) to (iv) above;
and 20% scarcity £186.92 per week

21. The Tribunal determines a rent under section 70 of £228.45 say £230.00 per week.

Decision

22. The rent calculated under section 70 Rent Act 1977 is £230.00 per week.

23. The rent calculated under the Rent Acts (Maximum Fair Rent) Order 1999 is £334.00 per week. 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 £230.00 per week.

Chairman: R Waterhouse FRICS

Date: 30 June 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.