FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	**LON/00AC/F77/2026/0117**
Property	**:**	**Flat 6 Berkeley Court, Vines Avenue, Finchley , London, N3 2QE**
Tenant	**:**	**Susan Morawski**
Landlord	**:**	**Rowark Investments Ltd**
Date of Objection	**:**	**24 March 2026**
Type of Application	**:**	**Section 70, Rent Act 1977**
Tribunal	**:**	**R Waterhouse FRICS** **A Spielman**
Date of Decision	**:**	**21 August 2026**

DECISION

The sum of £8356.00 per year including a service charge of £ 433.55 per year, will be registered as the fair rent with effect from 21 August 2026, being the date the Tribunal made the Decision.

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Full REASONS

Background

1. The landlord submitted an application, received 25 January 2026, to register a fair rent of £1100.00 per calendar month (pcm) . Previous to the application the Rent Officer had registered a fair rent of £7273.00 per year including £ 207 per year for services on 19 December 2023.

2. Following the application the Rent Officer registered a fair rent of £8162.00 per year including a service charge of £433.55 per year effective from 2 March 2026. Following an objection from the landlord dated 24 March 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 20 May 2026.

The Property

4. The property is described in the Fair Rent Register as being, a self-contained purpose built flat, modernised with full central heating comprising on the first floor three rooms, one kitchen and one bath/wc, with a garden outside. The tenancy is said to have commenced on n 20 November 2012.

The Inspection

5. The Tribunal did inspect the property and subsequently decided the issue on the papers. Present at the inspection was the tenant, the landlord was not present. The subject flat is located on the first floor of one of several blocks contained in the gated area, which is accessed by electric gates. The building is sold floor construction, block of flats. The subject property has its own front door which then leads to a first floor flat. The flat has a central hall.

6. Off the hall again is a small bathroom, functional but a little dated. There are two bedrooms, one a good size the other a functional double bedroom. There is one living room in a similar condition.

7. The kitchen was a shell when the tenant moved in fitted with cupboards worktop and cupboards but no white goods or oven, The white goods and the oven are the tenants.

8. The flat has double glazing and central heating though out, the carpets supplied by the landlord but not the curtains these being supplied by the tenant.

9. There is an outside car parking space, the car parking is not allocated.

Evidence

Submission by the tenant

10. The tenant made no submissions in respect of the objection.

Submission by the landlord

11. The landlord submits by Reply Form, noting they required an inspection but not a hearing.

12. The landlord notes the property is a first floor flat; there is no lift. The landlord states the property had central heating supplied by the landlord and also double glazing so supplied.

Carpets, curtains and white goods are said to be supplied by the tenant.

The property has a private garden.

The landlord notes a new boiler was installed in October 2022.

The landlord notes the service charge they pay to their landlord and that other regulated tenants in the building "are paying higher".

The landlord submitted a schedule of rents in the building, which were a combination of AST and regulated tenancies. The Tribunal notes that some of the AST rents included commenced in 2025.

Nature of flat that rent is to be determined

13. The Tribunal finds that the nature of the flat for which the rent is to be determined is that at the commencement of the tenancy that is 2012 condition but with the landlord's improvements.

14. The Tribunal finds that the landlord supplied double glazing and central heating.

15. The Tribunal finds the "white goods", and curtains, carpets, were supplied the tenant.

16. The flat is a first floor flat with central heating, double glazing, comprising three rooms, a bathroom and a kitchen.

17, The Tribunal finds the garden is communal.

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. The landlord supplied comparables from within the block The tenant has not supplied any comparable information nor commented on the landlord's evidence.

20. The Tribunal notes that the evidence supplied by the landlord dates from several years. Considering the rents in Assured Shorthold Tenancies from within 2 years of the date of the Notice of Increase of Rent for the subject property shows rents from £1650 to £1850 per month.

21. The Tribunal considers the most recent to be of greatest relevance and adopts the figure of £1800 pcm which is equivalent to £21,600 per year.

22. 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 (ii) the condition as at the start of the tenancy compared with the condition of properties in a contemporary letting, 2012 (iii) the supply of curtains, flooring and white goods and (iv) scarcity 20%.

Market Rent	£21,600.00 per year
Less: 10% for (i) to (iii above; and 20% scarcity	£6480.00 per year

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23. The Tribunal determines a rent under section 70 of £15120.00 per year

Decision

24. The rent calculated under section 70 Rent Act 1977 is £15120.00 per year

25. The rent calculated under section 70 of the Rent Act 1977 is higher, at £15120.00 per year including service charge of £433.55 than the rent calculated under the Rent Acts (Maximum Fair Rent) Order 1999. Therefore, the Tribunal determines the rent to be registered is £8356.00 per year, equivalent to £696.33 pcm including the service charge of £433.55 per year equivalent to £36.13 pcm.

Chairman: R Waterhouse FRICS

Date: 21 August 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.