



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

Case Reference : **JD/LON/OOAY/F77/2026/0123**

Property : **Flat 16 Fosbrooke House, Davidson
Gardens, London, SW8 2XH**

Tenant : **Ms D Doyne**

Landlord : **Grainger Real Estate Limited**

Date of Objection : **24 March 2026**

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

Tribunal : **R Waterhouse FRICS
S Greer**

Date of Decision : **3 September 2026**

DECISION

The sum of £321.00 per week, will be registered as the fair rent with effect from 3 September 2026, being the date the Tribunal made the Decision.

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Full REASONS

Background

1. The landlord submitted an application, dated 21 January 2026. Previous to the application the Rent Officer had registered a fair rent of £280.26 per week registered on 7 March 2024 and with effect from 17 April 2024.
2. Following the application the Rent Officer registered a fair rent of £240.30 per week on 5 March 2026 with an effective date of 17 April 2026. Following an objection from the landlord on 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 27 May 2026.

Preliminary Matters

4. The tribunal was attended by the application Ms D Doyne , and supported by David Schofield and Alice Schofield who are family members.
5. There was no attendance from the Respondent.
6. Where one party is absent at the hearing the Tribunal must under The Tribunal Procedural (First –tier Tribunal) (Property Chamber) Rules 2013 Rule 34 consider whether the tribunal should proceed in the absence of the party.

Hearings in a Party's absence

34. If a party fails to attend a hearing the Tribunal may proceed with the hearing if the Tribunal-

(a) is satisfied that the party has been notified of the hearing or that reasonable steps have been taken to notify the party of the hearing; and

(b) considers that it is in the interests of justice to proceed with the hearing.

In this case the Tribunal is confident that the Respondent was notified of the hearing, and that to delay would not be in the interests of justice, so the Tribunal determined the hearing should go ahead without the Respondent.

The Inspection/hearing

7. The Tribunal did not inspect the property but decided the issue on the submissions and the hearing.
8. Present at the hearing were the tenant D Doyne, supported by David Schofield, and Alice Schofield. Additionally, there was an observer. The observer took no part in the hearing.

The Property

9. The previous rent register entry stated “self - contained purpose built flat around 1919 to 1944, full central heating, located on the third floor 4 rooms, one

kitchen and one bath/WC. The tenancy is noted to have commenced on 6 December 1982.

10. The tenant D Doyne carefully took the tribunal through the property describing the condition at point of commencing the tenancy and improvements carried out by landlord and by tenant.

11. The property is located on the third floor of a purpose built social housing block built in the mid 1940s. The block is one of several blocks arranged around a set of communal gardens. These gardens are not exclusive to the residents of the development.

12. Entrance is gained through a ground floor communal door, which leads up through stairs to the dedicated front door of the property into the hall corridor area.

13. The property has central heating, that is radiators and boiler fitted by a previous landlord, plus double glazing relatively recently fitted by the current landlord's flat has wiring the condition and specification of which is that of entry in 1982. Throughout the flat are the original 1940s black tiles on top of the concrete floors. The property as let had no carpets, curtains or white goods.

14. Upon taking the property in 1982, the property was generally in a poor state of repair, the landlord had cleared out the possessions of the previous tenant, but the interior was in a state of disrepair.

15. The living room with balcony attached had damaged walls. The tenant filled the holes and painted. The balcony contained debris which the tenant cleared.

16. From the hall is a kitchen, which had the original coal hoppers for feeding the pre central heating boiler. The kitchen was in poor condition with the original 1940s built in cupboards.

17. The bathroom on letting had a cast iron bath with panels, a high-level WC and basin. The landlord replaced the bath, the tenant the panels the landlord also replaced the overhead cistern for the bathroom. The basin is as let.

18. There are three bedrooms, one a double bed, the second capable of single use only and the third again a double bed. The electrical sockets are limited, and the ceilings are of wood chip wallpaper added by the previous landlord.

19. The tenant has no outside space or storage.

20. The tenant contended that value for the property should be derived from other social housing purpose-built blocks in the vicinity but gave no comparable evidence.

Written Representations

Submission by the tenant

21. The tenant has submitted a handwritten note and Reply Form received 16 June 2026.

22. The covering note said that they moved into the property December 1982. Upon entry the property was found to be in a state of disrepair, and that all “improvements and decorating have been done by ourselves ie a new fully fitted kitchen and wall and floor tiling plus fully tiling the bathroom.”

23. It is said that central heating was offered in 1986 on the basis it would incur a rent increase, the central heating was fitted.

24. The landlord also installed UPVC double glazed windows, over time the seals in these have failed.

25. There is no furniture or carpets provided by the landlord. In terms of rental levels, the tenant submitted Wandsworth has changed a lot over the years, and so suitable comparables should be drawn from the ex-local authority sector.

26. The tenant in their Reply Form noted they requested a hearing but not an inspection.

27. The Reply Form notes the flat is on the third floor and provides dimensions for the rooms. It is noted that white goods, curtains and carpets are provided by the tenant. The tenants noted they fitted the bathroom and kitchen.

Submission by the landlord

28. The landlord has not made any submissions.

Nature of flat to be determined

29. 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 1982 condition but with the landlord’s improvements these being double glazing and central heating.

30. The flat for the purposes of the determination was in poor condition as identified above. In the absence of contradictory submission, the Tribunal finds the tenant has responsibility for internal repairs which is normal for regulated tenancies.

31. The tribunal finds the nature of the block within which the flat is contained is purpose built social housing.

32. The tribunal finds the flat to comprise a living room, bathroom, kitchen and three bedrooms two double one single.

Valuation

33. 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.

34. The Tribunal must consider the flat in the condition as let but including the landlord's improvements.

35. No comparable evidence has been provided by the either party.

36. In the vicinity the majority of properties are modern high specification purpose-built flats. A three bedroom in the vicinity starts at about £5000 per month. The property is not of this nature but is in the vicinity of such.

37. The Tribunal relies on its expertise and adopts as a first stage adjusts for the nature of the block from £5000 per month to £3000 per month.

38. 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 of the property as at the start of the tenancy compared with the condition of properties from which contemporary letting levels are derived. (iii) landlords' improvements – central heating, bath, and replacement double glazing, 1982 (iii) the supply by the tenant of of curtains, flooring and white goods other than cooker (iv) and scarcity 20%.

Market Rent	£3000 per month
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Less: 25% for (i) to (iii) above; and 20% scarcity	£1350.00 per month
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Net rent	£1650.00 per month
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-----**Decision**

39. The rent calculated under section 70 Rent Act 1977 is £1650.00 per month equivalent to £380.76 say £380.00 per week.

40. The rent calculated under the Rent Acts (Maximum Fair Rent) Order 1999 is, £321.00 per week

41. The rent calculated under section 70 of the Rent Act 1977 rent is higher than the rent determined under the Order. Therefore, the Tribunal determines the

rent to be that calculated under the 1999 Order which is £321.00 per week with effect from 3 September 2026.

Chairman: R Waterhouse FRICS

Date: 3 September 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.