

FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	**LON/00AW/F77/2026/0141**
Property	**:**	**Flat A, 16 Elvaston Place, London, SW7 5QF**
Tenant	**:**	**Miss Pamela Coppins**
Landlord	**:**	**Northumberland & Durham Property Trust Ltd**
Date of Objection	**:**	**2 June 2026**
Type of Application	**:**	**Section 70, Rent Act 1977**
Tribunal	**:**	**R Waterhouse FRICS** **A Onigbode**
Date of Decision	**:**	**7 September 2026**

DECISION

The sum of £2000.00 per month, will be registered as the fair rent with effect from 7 September 2026, being the date the Tribunal made the Decision.

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Full REASONS

Background

1. The landlord submitted an application, dated 25 March 2026 to register a rent of £492.91 per week. Previous to the application the Rent Officer had registered a fair rent of £1796.00 pcm registered on 4 January 2024 and with effect from 8 February 2024.

2. Following the application the Rent Officer registered a fair rent of £1890.00 pcm on 19 May 2026 with an effective date of 25 June 2026. Following an objection from the landlord on 2 June 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 6 July 2026. Neither party requested a hearing, the tenant requested an inspection, the tribunal made its determination after the inspection of 7 September 2026.

The Property

4. The previous rent register entry stated "self - contained converted flat 1800 to 1918 , without central heating comprising on the ground floor 3 rooms, one kitchen one bathroom and a WC.

The tenancy commenced 23 October 1977.

The Inspection

5. The tribunal attended the property on the day appointed for the inspection. The tribunal was unable to gain access. The tribunal undertook an external inspection and determined it was proportionate to make the determination on the papers.

6. The external inspection found the flat to be in a raised ground floor flat within a multi tenanted building. The property is Victorian stucco fronted in nature. The street within which the property is located is within a very short distance of the Royal Albert Hall.

Evidence

Submission by the tenant

6. The tenant has submitted a completed Reply Form, undated. The Form requested an inspection but not a hearing.

The Reply Form notes;

- the flat is located on the ground floor,
- the flat comprises three rooms, a kitchen and a bathroom.

- that the living comprising a living room – it is noted that the sash cords are broken,

- that there is A kitchen, with damp on wall next to window and a damp cupboard

- that bedroom 1 with damp on wall next to window, and broken sash cord

- Bedroom 2 Damp on window on wall next to window, damp cupboard.

- that the bathroom, said to be re fitted, but noted the window leaks when it rains and floods floor.

- that the property is said to be without double glazing and without central heating.

- curtains, carpets and white goods are supplied by the tenant.

The tenant has supplied a letter dated 29 July 2026. The tribunal notes the contents, which include, request to uphold the Rent Officers' decision to register the fair rent at £1890 per month.

The letter also includes photographs of the interior showing mould in places and broken sash window casing.

Submission by the landlord

10. The landlord has not made any submissions.

Nature of flat to be determined

11. 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 1977 condition but with the landlord's improvements. There are no landlords' improvements noted. The tenants evidence including photographs remains uncontested by the landlord and the tribunal finds the property to be in the condition evidenced by the photographs.

12. 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.

Valuation

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

14. The Tribunal must consider the flat in the condition as let but including the landlord's improvements, none are noted.

15. No comparable evidence has been provided by the either party. The Tribunal relies on its expertise and adopts the figure of £5000.00 per calendar month.

16. 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, (iii) the supply of curtains, flooring and white goods other than cooker (iv) disrepair, and scarcity 20%.

Market Rent	£5000.00 per month
Less: 40% for (i) to (iii above; and 20% scarcity	£2000.00 per month
Net rent	£2000.00 per month

----------**Decision**

17. The rent calculated under section 70 Rent Act 1977 is £2000.00 per month.

18. The rent calculated under the Rent Acts (Maximum Fair Rent) Order 1999 is, £2081.50 per month

19. The rent calculated under section 70 of the Rent Act 1977 rent is £2000.00 per month. Therefore, the Tribunal determines the rent to be that calculated is £2000.00 per month with effect from 7 September 2026.

Chairman: R Waterhouse FRICS

Date: 7 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.