FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	**JD/LON/OOBK/F77/2026/0176**
Property	**:**	**Flat 6, 36 St Stephens Gardens, London, W2 5NJ**
Tenant	**:**	**Mr D Moore**
Landlord	**:**	**Notting Hill Genesis**
Date of Objection	**:**	**29 July 2026**
Type of Application	**:**	**Section 70, Rent Act 1977**
Tribunal	**:**	**R Waterhouse FRICS**
Date of Decision	**:**	**20 October 2026**

DECISION

The sum of £216.50 per week including a service charge of £4.23 per week, will be registered as the fair rent with effect from 20 October 2026, being the date the Tribunal made the Decision.

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Full REASONS

Background

1. The landlord submitted an application, received 12 May 2026 to register a rent of £196.54 per week including £1.76 per week for services. Previous to the application the Rent Officer had registered a fair rent of £185.76 per week including a service charge of £1.76 per week registered on 21 September 2023 with effect from 21 September 2023.

2. Following the application the Rent Officer registered a fair rent of £215.73 per week including £4.23 per week for services with a registered date of 15 July 2026 and effective from 15 July 2026.

3. Following an objection from the tenant on 29 July 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.

4. Directions were issued on 27 August 2026. Neither party requested a hearing or inspection, the tribunal made its determination on 20 October 2026.

The Property

5. The previous rent register entry stated “self - contained converted flat built around 1800 to 1918 modernised comprising on the second floor two rooms, one kitchen and one bath/wc".

Evidence

Submission by the tenant

6. The tenant has made no submissions other than the objection letter which contended that the increase was excessive, that the condition does not justify the increase, that the building has no lift, no garden, or outdoor amenities and no cleaning or maintenance service for communal areas. Further the tenant says, the door system is nearly 40 years old and no longer functions properly, which has raised security concerns.

7. The tenant notes that the roof is in disrepair and this has led to water entering the flat.

Submission by the landlord

8. The landlord has not made any submissions and so the condition contended by the tenant is uncontested.

Nature of flat to be determined

9. 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 18 November 1985 condition but with the landlord’s improvements. There is no evidence of any landlord's improvements.

Valuation

10. 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.

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

12. No comparable evidence has been provided by the either party. The Tribunal relies on its expertise and adopts the figure of £2400.00 per calendar month. This figure reflects a property with central heating. The subject property is said to be "modernised" , so the tribunal finds the subject property to have central heating. Additionally, a regulated tenancy is expected to have differing terms and conditions from that of a contemporary assured shorthold tenancy, so an adjustment is made for that. Finally, the Rent Act requires adjustment for "scarcity" the tribunal applies 20% for this.

Market Rent	£2400.00 pcm
Less: 20% for items in para 12; less	£480.00 pcm
Net rent	£1920.00 pcm month
Less 20% for scarcity	£384.00 pcm
Net	£1536.00 pcm

Decision

15. The rent calculated under section 70 Rent Act 1977 is £1536.00 pcm which is equivalent to £354.46 per week including the service charge of £4.23 per week.

16. The rent calculated under the Rent Acts (Maximum Fair Rent) Order 1999 is, £216.50 per week including service charge of £4.23 per week.

17. Therefore, the Tribunal determines £216.50 per week including a service charge of £4.23 per week with effect from 20 October 2026.

Chairman: **R Waterhouse FRICS**

Date: **20 October 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.