

FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	**LON/OOBK/F77/2026/0178**
Property	**:**	**Flat D, 37 Leamington Road Villas, London, W11 1HT**
Tenant	**:**	**Mr D Nichols & Ms N Cleghorn**
Landlord	**:**	**Notting Hill Genesis**
Date of Objection	**:**	**4 August 2026**
Type of Application	**:**	**Section 70, Rent Act 1977**
Tribunal **P Joseph MRICS**	**:**	**R Waterhouse FRICS**
Date of Decision	**:**	**2 November 2026**

DECISION

The sum of £268.00 per week inclusive a service charge of £15.38 per week, will be registered as the fair rent with effect from 2 November 2026, being the date the Tribunal made the Decision.

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Full REASONS

Background

1. The landlord submitted an application, received 5 June 2026 to register a fair rent. The tenancy had run from 26 August 1991, and the previous rent was £229.88 per week including a service charge of £15.38 per week registered on 25 September 2023 with effect from 25 September 2023.

2. After the application, the Rent Officer registered a fair rent of £261.88 per week including a service charge of £15.38 per week, registered on 27 July 2026 with an effective date of 27 July 2026.

3. Following an objection from the tenant dated 4 August 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 4 September 2026.

Preliminary matters

5. Neither the landlord or tenant requested a hearing or an inspection. The Tribunal did not consider a hearing proportionate.

The Property

6. The current rent register entry described the property as being a self-contained converted flat built around 1800 to 1918, without central heating comprising on the second floor, three rooms, one kitchen and one bathroom/WC and box room.

Determination on papers

Evidence

Submission by the tenant

7. The tenant in their written objection expressed concern over the affordability of the rent increase. No Reply Form was received from the tenant.

Submission by the landlord

8. No submissions were received from the landlord.

Valuation

9. 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.

10. The Tribunal in coming to its determination adopts the following methodology;

To ascertain the current rental value of the property under a contemporary tenancy informed by rents agreed within such contemporary tenancies.

(a) To adjust for improvements in specification- there are no submissions in respect of improvements.

(b) To adjust for repair – there are no submissions in respect of repairing issues.

(c) To adjust for the terms of the tenancy compared with the terms of the contemporary assured shorthold tenancies from which the rent is derived.

(d) To adjust for the supply of curtains, carpets and white goods which a tenancy in a contemporary property would be expected to have provided by their landlord.

11. The final adjustment is that required by statute that of scarcity which is taken as 20%.

Analysis and decision

12. No submissions have been received in respect of rental values.

The Tribunal drawing on its expertise and knowledge of market rents determines that a property of this size in the location, in contemporary condition would attract a rental bid of £2600.00 pcm

The property is not in this condition and so the Tribunal makes adjustments

Market Value	£2600.00 pcm
Deduction of 30%	
(a) No central heating,	
(b) Tenancy terms and conditions- internal decoration	
(c) Specification at date of tenancy 1991- eg dated kitchen and bathroom	
(d) The requirement for the tenant to supply carpets curtains and white goods.	
Deduction	£780.00pcm
Deduct services	£66.65 pcm
Net rent	£1753.35 pcm
Deduction for scarcity of 20%	£350.67 pcm

Net rent	£1402.68 pcm
Add in services	£66.65 pcm
Net rent	**£1469.33 pcm**

13. The tenancy requires the payment of a service charge. The contemporary market rent assumes the landlord would cover such costs. The tenant would not pay a rent derived from contemporary rents inclusive of charges to then pay an addition for service charge here. The rent determined under Section 70 includes the payment of the service charge.

Decision

14. The rent calculated under section 70 Rent Act 1977 is £1469.33 pcm equivalent to £339.08 per week inclusive of service charge of £15.38 per week.

15. The rent calculated under the 1999 Order is £268.00 per week inclusive of service charge of £15.38 per week.

16. The rent calculated under the 1999 Order is lower and adopted. The Tribunal determines £268.00 per week inclusive of £15.38 per week with effect from 2 November 2026.

Chairman: R Waterhouse FRICS

Date: 2 November 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.