

FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	**LON/00AU/F77/2026/0198**
Property	**:**	**87 Tufnell Park Road, London, N7 0PS**
Tenant	**:**	**Mr Peter Ross**
Landlord	**:**	**Mrs Melissa Manley-Clark**
Date of Objection	**:**	**18 August 2026**
Type of Application	**:**	**Section 70, Rent Act 1977**
Tribunal	**:**	**R Waterhouse FRICS**
Date of Decision	**:**	**17 November 2026**

DECISION

The sum of £302.50 per week, will be registered as the fair rent with effect from 17 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 12 November 1984, and the previous rent was £265.00 per week registered on 11 June 2024 with effect from 13 June 2024.

2. After the application the Rent Officer registered a fair rent of £297.50 per week, registered on 30 July 2026 with an effective date of 30 July 2026.

3. Following an objection from the tenant dated 18 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 23 September 2026.

Preliminary matters

5. Neither the landlord nor tenant requested a hearing or inspection. The tribunal did not consider a hearing or inspection proportionate.

6. By Order Form one dated 14 October 2026 the applicant requested a right to respond to the landlord/respondent's reply. The tribunal has considered all the papers submitted to it in respect of the determination.

The Property

7. The current rent register entry described the property as being a self-contained converted maisonette built around 1919-1944, with full central heating comprising on the basement two rooms, one bath/WC, one WC, one utility room, and on the ground floor one room, one kitchen / diner outside a garden.

Determination on papers

Evidence

Submission by the tenant

8.The tribunal received a Reply Form from the tenant detailing the accommodation.

9. The tribunal also received, a copy of an e mail sent by the tenant to the Rent Officer, saying the increase to £400 per week was excessive. Further, noting that the building is muti occupied and that Mr Ross, undertakes regular effort to keep the common parts clean and moderate behaviour of other tenants. Additionally, the flat has no double glazing and costs in excess of £250 pcm to heat. That the flat suffers from damp.

10. It was noted that the landlord repaired the window added a heater in the shower and that the tenant repaired the basement sash cords.

11. A further statement from the tenant dated 7 October 2026 where Mr Ross says, improvements carried out include new boiler system, a bathroom conversion to a shower. The damp issues are noted.

12. A note titled "Reply to Melisa Manley email cc to Peter Ross Wed Oct 07 2026. In which, Mr Ross noted, that works to repair the "serious damp issue" took place in 2012. That the current dampness is being address by the tenant and the landlord has not submitted any schedule of works to provide the tenant with assurance it will be undertaken.

13. The tenant also provided the tribunal with several photographs showing dampness in the walls and some cracking.

Tenancy terms

14. The tribunal has received no copy of a tenancy. The tribunal in the absent of the tenancy finds the regulated tenancy would contain provisions that the tenant is responsible for the internal decoration and white goods.

Submission by the landlord

15. The landlord has submitted a completed "Objection to an Application to the Tribunal to rectify or set aside documents. Within the document it is noted that the landlord has obtained from an estate agent a suggestion that the open market rental value for the property would be £ 2400 pcm. It also sets out the cost of maintaining and insuring the property.

16. A completed reply form, this notes;

- The central heating is supplied by the landlord
- There is no double glazing
- Carpets and curtains are supplied by the landlord
- White goods are supplied by the tenant.

17. The landlord supplies a copy of the floor plan for the two floors of the flat.

18. The landlord states the property has been treated for damp some 10 years ago and that no issues remain. The Landlord supplies a copy of an inspection dated 24 March 2026 carried out by Rentokil which concluded the paint flaking and salt efflorescence was caused by condensation.

19. In term of issues with other tenants, the landlord suggests that this is outside the tenant's responsibility and that if needed the tenant should discuss the issues with the other occupiers.

Findings

20. Whilst submissions show extensive damp work was carried out, the tribunal finds it nonetheless from the photographs, the damp continues to manifest whether this is by penetrative damp asserted by the tenant or condensation

asserted by the landlord's specialist is not for the tribunal to find. The outcome is that damp is demonstratable present.

21. The cleanliness of the common parts, the tribunal finds it is not for Mr Ross to undertake cleaning beyond that which the tenancy requires and that if other occupiers as stated by Mr Ross have a negative impact on the common parts it is for the landlord not Mr Ross to police this. The tribunal finds no evidence that this is occurring.

22. Both parties indicate they fitted the boiler and central heating system. Given that Mr Ross provided details of the scheme from which it was fitted and gave a description of the financing, and the landlord only stated they fitted it, the tribunal on balance finds the tenant fitted the central heating system.

23. Supply of curtains and carpets are said by the landlord to be supplied by them, this is uncontested, the tribunal finds that the landlord supplied these.

24. White goods the landlord states these are supplied by the tenant the tribunal finds this to be the case.

Valuation

25. 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.

26. The only rental comparable presented to the tribunal is that from the landlord showing £2400 pcm.

27. The tribunal finds that £2400 pcm is the level of rent expected if the property was in a good contemporary condition let on modern tenancy terms.

28. The tribunal must then adjust the gross rent to reflect the actual property and terms of the tenancy, in coming to its determination adopts the following methodology;

29. 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, in this case central heating installation. This is disregarded from the rent determination. The tribunal has no submissions on the kitchen or bathroom.

(b) To adjust for disrepair. The presence of damp.

(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. The regulated tenancy having responsibility by the tenant for internal decoration.

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

(e) Specification – lack of double glazing.

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

The tribunal makes an adjustment of 25% to reflect the items a to e.

Rent before adjustment £2400.00 pcm

Less 25% £600.00 pcm

Net rent before scarcity £1800.00 pcm

Deduct for scarcity 20% £360.00 pcm

Net rent £ 1440.00 pcm which is £332.30 per week.

Decision

35. The rent calculated under section 70 Rent Act 1977 is £332.30 pw.

36. The rent calculated under the 1999 Order is £302.50 per week

37. The rent calculated under the section 70 was higher than the rent assessment under the 1999 Order. The Tribunal therefore determines the rent of £302.50 pw from the 17 November 2026.

Chairman: R Waterhouse FRICS

Date: 17 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.