

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

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| **Case Reference** | **:** | **LON/OOBK/F77/2026/0199** |
| **Property** | **:** | **Flat A, 225 Randolph Avenue, London, W9 1NL** |
| **Tenant** | **:** | **Mr A & Mrs J Matarazzo** |
| **Landlord** | **:** | **Notting Hill Genesis** |
| **Date of Objection** | **:** | **10 September 2026** |
| **Type of Application** | **:** | **Section 70, Rent Act 1977** |
| **Tribunal** | **:** | **R Waterhouse FRICS** |
| **Date of Decision** | **:** | **17 November 2026** |

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**DECISION**

**The sum of £303.50 per week including service charge of £11.06 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 12 May 2026 to register a fair rent. The tenancy had run from 11 June 1989, and the previous rent was £202.92 per week including service charge of £ 1.41 per week registered on 7 February 2020 with effect from 7 February 2020.

2. After the application the Rent Officer registered a fair rent of £308.06 per week including service charge of £ 11.06 per week, registered on 28 July 2026 with an effective date of 28 July 2026.

3. Following an objection from the tenant dated 10 September 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.

**The Property**

6. The current rent register entry described the property as being a self-contained converted flat built around 1800 to 1918, with central heating comprising on the basement level, three rooms, one kitchen and bathroom/WC with outside a garden.

**Determination on papers**

**Evidence**

**Submission by the tenant**

7.The tribunal received a Reply Form from the tenant. This sets out the accommodation and its condition. Of note is that the tenant says the kitchen needs "updating", bedroom 1 has some "damp and mould", bedroom 2 "needs updating and some improvements", bedroom 3 "needs updating" and bathroom needs "renewing". The tenant also notes the presence of a garden.

8. The tenant notes the central heating was provided by the landlord and is as was at the commencement of the tenancy. Further that the tenant has taken responsibility for replacing the kitchen this has been done twice.

9. The tenant has reconfigured the property. The original kitchen has become a bedroom. The kitchen being moved into the living room to create a living room open plan kitchen.

10. The tenant confirms that they paid for the works and had consent.

**Submission by the landlord**

11. The landlord has made no submissions.

**Tenancy terms**

12. The tribunal has not received a copy of the 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, carpets and curtains, and white goods.

**Tenants Improvements**

13. The Tenant has noted the improvements carried out by themselves in the Reply Form.

**Valuation**

14. 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.

15. The tribunal first considers the property with the original pre tenant improvements on layout. The tribunal finds this to have a rental value of £3500 pcm including service charge.

16. The tribunal then makes adjustment for

(a) The condition as let to the tenant that is the dated bathroom and kitchen
(b) Liability for internal decoration
(c) Provision of white goods, carpets and curtains
(d) Dampness

The tribunal makes a deduction of 20%.

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| Rent before adjustment | £3500.00 pcm |
| Less 20% | £700.00 pcm |
| Net rent before deduction of service charge | £2800.00 pcm |
| This is equivalent to | £ 646.15 pw |
| Deduct Service charge is | £11.06 per week |
| Rent net of service charge | £635.09 per week |

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| Deduct for scarcity 20% | £127.02 per week |
| Net rent | £508.07 per week |
| Add back service | £11.06 per week |
| Section 70 rent inc service charge | £519.13 per week |

**Decision**

17. The rent calculated under section 70 Rent Act 1977 is £519.13 per week including a service charge of £ 11.06 per week.

18. The rent calculated under the 1999 Order is £303.50 per week including a service charge of £ 11.06 per week.

19. The rent calculated under the section 70 was higher than the rent assessment under the 1999 Order. The Tribunal therefore determines the rent of £303.50 per week including a service charge of £11.06 per week 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.