

EASTERN RENT ASSESSMENT PANEL

STATEMENT OF REASONS FOR THE DECISION OF THE COMMITTEE WHICH MET ON 8th JUNE 2006 TO MAKE DETERMINE PURSUANT TO SECTION 22 OF THE HOUSING ACT 1988 IN RESPECT OF 12 OUTRAM ROAD, COWLEY, OXFORD OX4 3PE

File Reference No.:	CAM/38UC/MDR/2006/0002
Landlord:	Mr Aslan Dogar
Tenant:	Ms Margaret Davidson and Mr Paul Tarrant
Existing Rent:	£1,200.00 per calendar month
Determination by the Committee:	£600.00 per calendar month
Members of the Committee:	Mr JR Morris (Chairman) Mr RVN Auger FRICS Mr D Wills ACIB
Clerk to the Committee:	Mr J Childe

The Tenancy:

The tenancy appears to be a contractual Assured Shorthold periodic tenancy, which commenced on 24th November 2005 for an initial period of 12 months. As an Assured Tenancy, not being for a fixed period of 7 years or more, s11 of the Landlord and Tenant Act 1985 applies in respect of the Landlord's liability for repairs. A copy of the Agreement was provided under which the Landlord is responsible for the structure and exterior. Carpets are provided and the following items of furniture and white goods: cooker, microwave, fridge/freezer, washing machine, 2 wooden chairs, 2 double beds, 2 single beds, a single wardrobe, a double wardrobe and a dressing table.

Application:

The Tenant applied on the 6th April under s 22 of the Housing Act 1988 for a determination of the rent which in the committee's opinion, the landlord might reasonably be expected to obtain under an assured shorthold tenancy, there being sufficient number of similar dwelling houses in the locality let on an assured tenancies (whether shorthold or not); and that the rent payable under the subject Tenancy is significantly higher than the rent which the landlord might reasonably be expected to be able to obtain under the subject Tenancy, having regard to the level of rents payable under the tenancies for comparable properties.

The Premises

The subject property is a two-storey end terrace house built of brick under a slate roof constructed in the 1930s. The property comprises an entrance hall, living room, kitchen and shower room on the ground floor with three bedrooms on the first floor. The property has mains electricity, gas, water and drainage. Space and water heating is by a gas central heating system. Outside there are gardens to front and rear. There is hard standing to the front of the house. The property is situated in a residential area.

The Condition

The Committee inspected the subject property in the presence of the Tenants on the 8th June 2006. Externally the property is in poor condition. The paintwork is in need of re-decoration and the woodwork is showing signs of rot. There is a crack in the rear corner of the property that indicates subsidence. Internally the property is in a poor state. The kitchen is not fitted although white goods are provided. The shower room is dated and basic. The toilet has been replaced at the Tenant's expense. The shower appears to leak and causes damp in the living room. The boiler leaks and there

does not appear to be any certificate of compliance. The windows are single glazed. The carpets and furniture are not in good condition. In the rear garden there is a dilapidated shed.

The Decision

- a) The Committee considered that there were sufficient numbers of similar dwelling houses in the locality let on assured tenancies to make a determination.
- b) The Committee also considered that, having regard to the level of rents payable under the tenancies in the locality, the rent payable under the assured shorthold in question is significantly higher than the rent, which the landlord might reasonably be expected to be able to obtain under the tenancy.
- c) The Committee determined that the rent that the landlord might reasonably be expected to be able to obtain under an assured Shorthold tenancy for the subject property in its present condition was £600.00 per calendar month.

Signed.....
JR Morris (Chairman)

Important Note:

This is a summary of the Committee's reasons for its decision. Should you require more detailed reasons, they can be supplied but only if a written request for such reasons is received by the Panel Office within 21 days form the receipt of this document. The papers will then be returned to the Chair for such detailed reasons to be prepared.

Caution

The Committee inspected the subject property for the purposes of reaching this decision. The inspection was not a structural survey and any comments about the condition of the property in this summary must not be relied rely upon as a guide to the structural condition of the property.