

**Rent Assessment Committee: Reasons for decision.****Housing Act 1988****Address of Premises**

Ground Floor Flat  
10 Lennox Road  
Worthing  
BN11 1DA

**The Committee members were**

D M Nesbit JP FRICS FCI Arb  
Lady Davies FRICS  
Jan Morris

**1. Background**

On 8<sup>th</sup> February 2005 the tenant of the above property referred to the Committee a notice of increase of rent served by the landlord under section 13 of the Housing Act 1988.

The landlord's notice, which proposed a rent of £500.00 per month with effect from 1<sup>st</sup> March 2005 is dated 19<sup>th</sup> January 2005.

The tenancy is a periodic tenancy which commenced January 1997. The current rent is £400.00 per month.

**2. Inspection**

The Committee inspected the property on 27<sup>th</sup> April 2005 and found it to be in good condition.

Lennox Road is a convenient central location, with a one-way East/West access. The property is an inner terrace home with double bay and front forecourt. The ground floor self-contained flat is in good condition and comprises, front lounge, bedroom, dining room leading to kitchen, bathroom and WC. There is a rear patio and pedestrian rear access.

No qualifying tenant's improvements had been made to the property.

### **3. Evidence**

The committee received written representations from the landlord and tenant and these were copied to the parties.

A hearing was held at The Library on 27<sup>th</sup> April 2005 in Worthing at which oral representations were made by and on behalf of the landlord. The tenant was not present or represented.

The landlord was in attendance at the Hearing accompanied by his solicitor, Mr P Norton (Gates & Moloney). Mr Norton submitted extracts of local advertisements of properties to be let in the Worthing area, and letters from tenants of other properties owned by the landlord. The landlord, a builder, confirmed that he had replaced all rear windows which would have cost about £2,500 and the rear patio this year at a cost of £3,500.

The landlord stated that the tenant had promised to redecorate the bathroom ceiling, the unfinished state being mentioned by the tenant, when he had retiled the walls about 3 years ago.

Mr Norton confirmed the current rent was £400.00 pcm and from 2001.

### **4. The law**

In accordance with the terms of section 14 Housing Act 1988 the Committee proceeded to determine the rent at which it considered that the subject property might reasonably be expected to be let on the open market by a willing landlord under an assured tenancy.

In so doing the Committee, as required by section 14(1), ignored the effect on the rental value of the property of any relevant tenant's improvements as defined in section 14(2) of that Act.

In coming to its decision the Committee had regard to the evidence supplied by the parties and the members' own general knowledge of market rent levels in the area of Worthing and West Sussex and concluded that an appropriate market rent for the property would be £500.00 per month.

The landlord confirmed that the first floor flat with one less room had been let at £525.00 pcm, with night storage heaters, partial double glazing and carpets.

## **5. The decision**

The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £500.00 per month.

This rent will take effect from 1<sup>st</sup> March 2005 being the date specified by the landlord in the notice of increase.

Chairman

  
D M Nesbit JP FRICS FCI Arb

Dated 27<sup>th</sup> April 2005

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