

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

9 West Street
Ilchester
Yeovil
Somerset
BA20 1HG

The Committee members were

Mr T D George, Lawyer (Chairman)
Mrs M Hodge BSc (Hons) ARICS

1. Background

On the 7th October 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 £330 per month with effect from the 1st November 2005, is dated 26th September 2005.

The tenancy is a periodic tenancy which commenced on 6th February 1995. The current rent is £295 per month.

2. Inspection

The Committee inspected the property on 22nd November 2005 and found it to be in fair condition. The outside structure is in need of attention especially the sill to the lounge which would appear to be a potential danger. From the outside the roof appeared to be in reasonable condition except for the Perspex roof on the back "Lean To" which leaks.

The following qualifying tenant's improvements had been made to the property:

- Partial elimination of rising damp
- Fitted kitchen apart from the sink unit

- A new ring main and power points throughout the house
- Extension to tiling in the bathroom and the shower and provision of an extractor fan
- Fencing
- Night store heaters throughout
- Attempted waterproofing to the "Lean To" roof
- Replacement of the cistern and wash hand basin in the bathroom
- Replacing floor boards and skirting boards
- Making good for internal decoration
- Loft insulation and boarding
- Various shelving

3. Evidence

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

Neither party requested a hearing at which oral representations could be made.

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 South Somerset and concluded that an appropriate market rent for the property would be £530 per calendar month. However, the items ~~and~~ ^{of} tenants improvements at paragraph 2 require a deduction of £151.64 per month. The individual items are as follows:

• Partial elimination of rising damp	£30.33
• Fitted kitchen apart from the sink unit	£21.66
• A new ring main and power points throughout	£21.66
• Extension to the tiling in the bathroom and shower and the extractor fan	£13.00
• Fencing	£ 8.66
• Night Store heaters throughout	£30.33
• Attempted Waterproofing to "Lean To" roof)
• Replacement of the cistern and wash hand basin in the bathroom)
• Replacing floor boards and skirtings)
• Making good for internal decoration) £26.00
• Loft insulation and boarding)
• Various shelving)
Total	<u>£151.64</u>

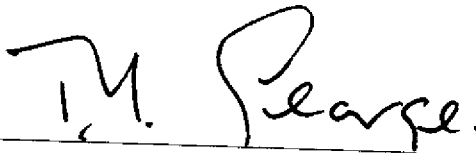
In addition the property is not in the condition considered usual for a modern letting at a market rent. Therefore, a further deduction is made of £52 per month. Furthermore since the last determination of rent the pedestrian right of way over numbers 10 and 11 has been stopped. A further deduction of £30.33 per month is made.

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 £296 per calendar month.

This rent will take effect from 1st November 2005 being the date specified by the landlord in the notice of increase.

Chairman


Mr T D George

Dated November 2005