

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

113 Vine Road
Coxford
Southampton
Hants SO16 5TD

The Committee members were

A J Mellery-Pratt FRICS (Chairman)
C G Thompson

1. Background

On 9 June 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 £170.00 per week (including Council Tax of £951.39 per year) with effect from 1 July 2005 is dated 27 May 2005.

The tenancy is a periodic tenancy which commenced in April 1992. The current rent is £120.00 per week.

2. Inspection

The Committee inspected the property on 27 July 2005 and found it to be in poor condition.

The exterior decorations were in a poor state and the gutters not connected to downpipes. Internally there is a leak in Bedroom 3 and where the new kitchen and bathroom fittings have been installed, the works have not been completed. There is no hot water in the kitchen. The tenants have not carried out any internal decorations.

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

None

The following services are provided for the tenant.

Payment of Council Tax of £951.39 per annum.

3. Evidence

The committee received written representations from the landlord and the 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.

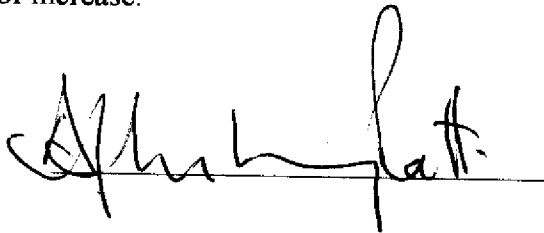
In so doing the Committee, as required by section 14(1), ignored the effect on the rental value of the property of any relevant tenant's improvements as defined in section 14(2) of that Act.

In coming to its decision the Committee had regard to the members' own general knowledge of market rent levels in the area of the Southampton conurbation and concluded that an appropriate market rent for the property would be £120.00 per week inclusive of Council Tax.

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 £120 per week inclusive of Council Tax.

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

Chairman 

Dated 29th July 2005

This document contains a summary of the reasons for the Rent Assessment Committee's decision. If either party requires extended reasons to be given, they will be provided following a request to the committee clerk which must be made within 21 days from the date of issue of this document.

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

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Hants SO16 5TD

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C G Thompson

1. Background

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The landlord's notice, which proposed a rent of £170.00 per week (including Council Tax of £951.39 per year) with effect from 1 July 2005 is dated 27 May 2005.

The tenancy is a periodic tenancy which commenced in April 1992. The current rent is £120.00 per week.

2. Inspection

The Committee inspected the property on 27 July 2005 and found it to be in poor condition.

The exterior decorations were in a poor state and the gutters not connected to the down-pipe. Internally there is a roof leak in Bedroom 3 and damage to the party wall at first floor level towards the rear.

When the new kitchen was installed about 8 years ago, the work was done to a poor standard and not finished. The kick boards are still missing. Additionally the tiled floor was removed but nothing has been replaced, leaving bare boards. Two power

points are very loose. An old waste pipe hole in the outer wall has not been filled. We understand that there is no hot water connected to the kitchen

New bathroom fittings have been installed, but tiles were removed on the wall adjacent to the bath and they have not been replaced. The shower enclosure was damaged and the heater removed leaving bare electrical wires.

The tenants are not aware of any gas safety certificate having been prepared.

There is no proper front door cill and it has been created by two concrete blocks.

The tenants have not carried out any internal decorations

Externally the Landlord has apparently carried out some fence renewal and tree trimming but has not removed the old materials..

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

None

The following services are provided for the tenant.

Payment of Council Tax of £951.39 per annum.

3. Evidence

The committee received written representations from the landlord and the 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.

5. Consideration

In the first instance the Committee determined what rent the landlord could reasonably be expected to obtain for the property in the open market if it were let today in the condition that is considered usual for such an open market letting. In the absence of any evidence of rentals from the parties, it did this by having regard to the Committee's own general knowledge of market rent levels in the area of the Southampton conurbation. Having done so it concluded that such a likely market rent would be £150.00 per week.

However, the actual property is not in the condition considered usual for a modern letting at a market rent. Therefore it was first necessary to adjust that hypothetical rent of £150.00 per week to allow for the differences between the condition considered usual for such a letting and the condition of the actual property as observed by the Committee (disregarding the effect of any disrepair or other defect attributable to the tenant or any predecessor in title). The Committee considered that this required a deduction of £48.00 per week.

This deduction incorporated the following :-

Lack of central heating	£14.00 per week
Lack of hot water in kitchen	£ 8.00 per week
Disrepair	£10.00 per week
Tenant decorating responsibility	£5.00 per week
Lack of carpets, curtains and some white goods	<u>£11.00</u> per week
	£48.00 per week

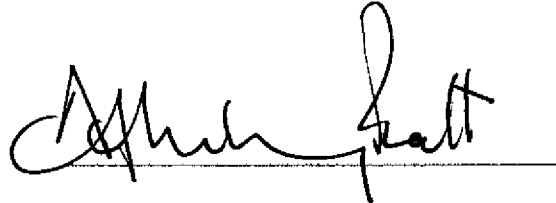
This resulted in a net rent of £102.00 per week to which must be added the cost of the Council Tax of £18.30 per week, giving a rent of £120.30 per week which the committee rounded down to £120.00 per week

5. The decision

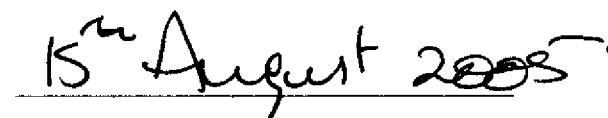
The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £120 per week inclusive of Council Tax.

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

Chairman

A handwritten signature in black ink, appearing to read 'A. H. Hall', written over a horizontal line.

Dated

A handwritten date '15th August 2005' written in black ink over a horizontal line.