

4. The law

In accordance with the terms of Section 14 of the 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, ignored the effect on the rental value of the tenants' improvements, as defined in Section 14[2] of that Act.

5. The decision

As indicated above, in accordance with Section 14 of the Housing Act 1988 the Committee firstly had to consider the rent at which the property might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy.

The Committee noted the rental evidence and opinion of the landlord's agents. They also noted that the tenant had not provided an opinion of the reasonable rental value.

After carefully considering the evidence and applying their own knowledge and experience, the Committee concluded that the appropriate open market rent for the property as modernised would be £600 p.c.m. They then deducted £150 p.c.m. to reflect the lack of central heating, the dated condition of the flat and the basic and dated kitchen and bathroom fittings etc.

In conclusion the Committee assessed the reasonable open market rent for the property in the sum of £450 p.c.m. exclusive of council tax and rates. This rent to take effect from the 1st. November 2004, being the date specified by the landlords in their notice of increase [as the Committee were satisfied that no undue hardship would be caused to the tenant].

Chairman _____

Dated _____

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.