

EASTERN RENT ASSESSMENT PANEL

Case number : CAM/33UB/F77/2004/0115

RENT ACT 1977



SUMMARY STATEMENT OF REASONS for the decision of the Committee which met on Monday 8th November 2004 to determine a Fair Rent in respect of :

I Keeper's Cottage, The Heath, North Elmham, Dereham, Norfolk

Landlord	R.S. Don & Partners
Tenant	Mr V.G. Bell
Rent at date of Application	£52.00 per week
Rent proposed by Applicant	£250.00 per cal mth / £57.69 per week
Rent determined by Rent Officer	£57.00 per week
Rent determined by Committee	£52.00 per week
Capped rent determined by Committee	not applicable

Members of the Committee

Mr G K Sinclair (chairman), Mr J B Shrive FRICS FAAV (valuer) & Mr R S Rehahn (lay member)

The Premises

The Committee inspected the subject property, a semi-detached 3-bedroomed late Victorian cottage of solid brick, with a pantiled roof. The property is as described in the Rent Register

Condition

Fair to poor, with no insulation and inadequate heating provided by back boiler to open fire, dated bathroom and kitchen, and evidence of both dry rot and penetrating damp. No evidence of any external decoration in recent years, including to wooden double-glazed windows. Timber porch beyond repair, and garage collapsed

Tenant's improvements

Most kitchen units and electrical goods; carpets & curtains

Location

On shared, narrow unmade track, c.200 metres from a rural road just to north of village of North Elmham, with shop, Post Office, primary school, modern group surgery and public houses. Nearest towns are Dereham (7 miles to south) and Fakenham (9 miles to northwest), with city of Norwich 19 miles to southeast.

Scarcity

10%

Law applied Rent (Agriculture) Act 1976, s.13, Rent Act 1977, s.70, as explained and clarified by the courts,¹ and the Rent Acts (Maximum Fair Rent) Order 1999

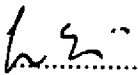
Open market rent Taking into account evidence & Committee members' knowledge & experience, decided at £450 per calendar month for property in good condition & modern facilities, carpets, curtains, etc.

Calculations

OMV	£450.00 pcm
Less : general condition/disrepair, inc exterior decoration, porch, rising damp & dry rot, poor wiring & lack of insulation	-£75.00 pcm
Less : Basic kitchen, with no white goods	-£50.00 pcm
Less : Inadequate central heating	-£50.00 pcm
Less : Lack of carpets & curtains	-£25.00 pcm
Net OMV	£250.00 pcm
Less : Scarcity @ 10%	-£25.00 pcm
Net fair rent	£225.00 pcm
or	£51.92 pwk
Round up to fair rent at date of application	£52.00 pwk

Rent capping The Rent Acts (Maximum Fair Rent) Order 1999 applies, but for the reasons above it has no effect on the Committee's decision

Decision The fair rent to be registered, with effect from 8th November 2004, is £52.00 per week

Signed 

Graham Sinclair - Chairman, for the Rent Assessment Committee

Note : This is a summary of the Committee's reasons for its decision. Should you require more detailed reasons they can be supplied only if a written request for such reasons is received by the Panel Office within 21 days from receipt of this document.

¹ *Curtis v London Rent Assessment Panel & others* [1997] 4 All ER 842(CA); *Queensway Housing Association Ltd v Chiltern, Thames and Eastern Rent Assessment Committee* (1998) 31 HLR 945; *Forebury Estates Ltd v Chiltern, Thames and Eastern Rent Assessment Panel*, *The Times*, 11th July 2000; *Spath Holme Ltd v North Western Rent Assessment Committee & Bigio* (QBD Admin Ct, 12th July 2001)