

SUMMARY STATEMENT OF REASONS
for the decision of the Committee which met on 12 September 2005
to determine a FAIR RENT in respect of
15 Blackett-Ord Court, Stamford Avenue, Royston, Herts SG8 7EB

Ref. No. CAM/26UF/F77/2005/0086

Landlord: Housing 21
Tenant: Mrs J Brailsford

Last registered rent (8.4.03):	£71.55 per week (£24.05 services inc. £3.20 fuel)
Rent at date of Application:	£88.30 per week
Rent proposed by Applicant:	£95.43 per week (£40.80 services inc. fuel + water)
Rent determined by Rent Officer:	£90.00 per week (£40.80 services inc. £3.50 fuel)
Rent determined by Committee:	£93.80 per week (£40.80 services inc. £3.50 fuel)

MEMBERS OF THE COMMITTEE: **Mr G M Jones - Chairman**
Mr G R C Petty FRICS
Mr R S Rehahn

THE PROPERTY The Committee inspected the property in the presence of the tenant and found it to be generally as described in the Rent Register. It is a self-contained purpose built two-room first floor flat dating from 1976 with central heating and UPVC double-glazing, let on terms that include fuel and water charges and a variable service charge. Landlord is responsible for all repairs and decorations. Dated kitchen units and awkward raised shower tray in interior bathroom. Let unfurnished but with basic electric cooker and offer of refrigerator.

CONDITION The property appeared to be in fair condition throughout except for a small settlement crack in one wall of the living room.

TENANT'S IMPROVEMENTS None relevant – but tenant supplied a fridge-freezer instead of the refrigerator offered by the landlord.

LOCATION Sheltered housing development of 6 bedsits and 16 two-room flats built by the British Legion on three floors (inc. lower ground floor at rear of sloping site) with resident site manager; community room; communal lounge, laundry and gardens; and limited car parking. Quiet location within reasonable walking distance of town centre and railway station.

SCARCITY

In the experience of the Committee, scarcity in the wider locality (the borders of North Herts, South Cambs and Mid-Beds) for this type of property justifies a deduction of 15%.

THE LAW APPLIED

In short, the task of the Committee is to determine a 'fair rent' within the meaning of section 70(1) of the Rent Act 1977, taking into account all relevant circumstances (other than personal circumstances). A fair rent is a market rent adjusted for scarcity and disregards under section 70(3) – in particular, tenants' improvements. A discount will be appropriate under section 70(2) where there is a significant scarcity of similar dwellings available for letting in the locality. Rent capping may apply (see below). The rent will be exempt from capping if the landlord carries out repairs or improvements to the property as a result of which the uncapped fair rent determined for the property is at least 15% more than the existing registered rent. Full Reasons (if requested) will set out the relevant legal principles in detail.

OPEN MARKET RENT

Based on the evidence and the Committee's own knowledge and experience, the open market rent for the property, if let on assured shorthold terms, fully modernised and in good order throughout, with central heating, double-glazing and carpets, curtains and white goods, would be £90.00 per week excluding services.

COMMITTEE'S CALCULATIONS

Open market rent	£90.00 per week
Less global deduction for age, character, size, condition and lack of modern facilities 15%	<u>£13.50</u>
Adjusted open market rent for this property	£76.50 per week
Reduction for scarcity 15%	<u>£11.50</u>
Uncapped fair rent	£65.00 per week
Add services of £40.80 per week	<u>£105.80 per week</u>

THE RENT ACTS (MAXIMUM FAIR RENT) ORDER 1999

The maximum fair rent calculated in accordance with the formula set out in the Order is £93.80 per week including £40.80 for services. The rent is not exempt from capping.

DECISION

As the maximum fair rent is less than the Committee's assessment, the fair rent is the capped figure of £93.80 per week including £40.80 for services (fuel charge £3.50).

Geraint M Jones MA LLM (Cantab)
Chairman



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