

**MEMO TO MARK
FROM BRUCE EDGINGTON**

18 June 2004

Re: 28 Chestnut Road, Pulham St. Mary

Many thanks for your note. I can't understand why she has not sent a copy of the lease. She clearly has it because she refers to it in her letter of 20th March to the Housing Association. As the notice of increase refers to a rent review clause, I suggest you write back as follows:-

"Thank you for your letter of the 10th June and enclosures. Unfortunately, you did not send a copy of your tenancy agreement (lease). The application form says 'please also enclose a copy of any written tenancy agreement'. I cannot therefore say whether it is an assured tenancy, which is the only type of tenancy covered by these provisions.

Having said that, it would appear from the notice sent to you by the Housing Association that the notice of increase is being sent to you under the terms of a rent review clause in the lease. Tenancy agreements (leases) which have rent review clauses are generally excluded from our jurisdiction. I respectfully suggest that you seek advice from your CAB or a surveyor or solicitor who specialises in this type of work to explore the possibility of making any other application to us.

Based on the papers you have sent, I cannot see that there would be any other application, but we are not an advice agency and must retain an entirely neutral position in these matters."

