

CABINET

LONDON RENT ASSESSMENT PANEL

LON/00BH/MNR/2003/0158/01

DECISION OF RENT ASSESSMENT COMMITTEE

HOUSING ACT 1988 section

13

ADDRESS:

56 Michael Road, London E11 3DY

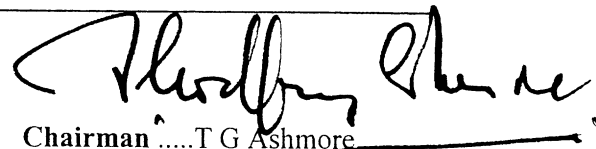
Landlord: Ophir Finance Co Ltd

Tenant: Mr F C Read

- (1) On the 22 July 2003 the landlord served a notice pursuant to Section 13(2) of the Housing Act 1988 proposing a new rent of £210 per week to commence on 20 August 2003. The tenant referred his notice to the Rent Assessment Committee on the 23 July 2003.
- (2) Section 13(2) of the Housing Act 1988 provides that a new rent must start at the beginning of the period of the tenancy, which in this case is a Wednesday, as the tenancy is a weekly one (tenancy commenced on 22 January 2003).
- (3) The minimum period of notice must be given before the proposed new rent can take effect. That period is one month for a tenancy which is monthly or for a lesser period, for instance weekly or fortnightly.
- (4) In this case the landlord purported to serve a notice with the starting date to be the 20 August 2003, or as their solicitors, Messrs Lacey, claimed in the letter of 7 October, the 23 August 2003.
- (5) The period of notice dating from the 22 July 2003 is less than one month, if the starting date is 20 August or is not on the commencement of a new period if the date is 23 August as this is a Saturday.
- (6) The landlord had failed to comply with the statutory provisions. The Committee found it had no jurisdiction to determine application.

COMMITTEE:

Mr T G Ashmore
Mr L Jarero BSc FRICS
Mrs E A V Lewis


Chairman T G Ashmore

Date 27 November 2003

LMR 65/91