

**Rent Assessment Committee: Summary reasons for decision.
Housing Act 1988**

Address of Premises

Flat 1, 2 North Street,
Wiveliscombe,
Taunton, Somerset
TA4 2JY

The Committee members were

Mr M J Greenleaves
Mr E G Harrison FRICS
Mr A P Osborn

Background

1. On 14th October 2003 the tenant of the above property referred to the Committee a notice of increase of rent served by the landlord under section 13 of the Housing Act 1988.
2. The landlord's notice, which proposed a rent of £442 per calendar month with effect from 7th November 2003 is dated 29th September 2003.
3. The Committee was required under Section 14 of the Housing Act 1988 to determine the rent at which it considered that the property might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy on the basis set out in that Section.
4. The tenancy commenced on 7th August 2001 for a term of six months. The tenant remains in occupation as a statutory periodic tenant. The current rent is £400 per month with effect from 7th October 2002.

Inspection

5. The Committee inspected the property on 12th December 2003 and found it to be in fair condition.
6. The flat is on the first floor, access being by a large unattractive hallway on the ground floor with a narrow staircase to the first floor. The flat comprises one bedroom, large lounge, modern kitchen/diner leading to the bathroom and another bedroom. The bathroom has no ventilation. Some of the sash windows cannot be opened. There is secondary glazing to the living room and bedroom windows.

There is central heating which, although not in good condition, does function properly. The Landlord's carpets and floor coverings are showing wear and some staining. Television reception is poor.

7. No tenant's improvements had been made to the property.

Evidence

8. The committee received written representations from the landlord and tenant and these were copied to the parties.
9. Neither party requested a hearing at which oral representations could be made.

The law

10. In accordance with the terms of section 14 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.
11. In so doing the Committee, as required by section 14(1), ignored the effect on the rental value of the property of any relevant tenant's improvements as defined in section 14(2) of that Act.
12. In coming to its decision the Committee had regard to the market evidence supplied by the parties. The Committee had ascertained that similar flats in the Wiveliscombe area were on the market at £425 per month and there was a shortage of such accommodation. It concluded that an appropriate market rent for the property would be £425 per calendar month.
13. The Committee decided that the detractions of the property in terms of the access and windows were balanced by the advantages of the large lounge and modern kitchen/diner.

The decision

14. The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £425 per calendar month
15. This rent will take effect from 7th November 2003 being the date specified by the landlord in the notice of increase the Committee being satisfied that no undue hardship would be caused to the tenant thereby.



Chairman

Dated 12th December 2003.

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.