

SUMMARY STATEMENT OF REASONS
for the decision of the Committee which met on 2006
to determine a FAIR RENT in respect of
174 Poplar Hill, Stowmarket, Suffolk IP14 2EJ

Ref. No. CAM/42UE/F77/2006/0111

Landlord: Bickenhall Engineering Co Ltd (agents B Bailey & Co)
Tenant: Mr R Welham

Rent at date of Application:	£76.00 per week
Rent proposed by Applicant:	£87.40 per week.
Rent determined by Rent Officer:	£85.00 per week
Rent determined by Committee:	£86.00 per week

MEMBERS OF THE COMMITTEE: **Mr G M Jones - Chairman**
Miss M Krisko BSc BA 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 small 3-bedroom semi-detached workman's cottage built in 1874 of brick and slate construction, now partly rendered and partly painted with masonry paint. The windows are UPVC double glazed. The property was let to the present tenant in 1983 completely unfurnished. Shared cesspit.

CONDITION The property appeared to be in fair condition except for deterioration of external brickwork (largely caused by rising damp); some high level penetrating damp probably caused by poor pointing on chimney stack and poor fascias and soffits; and cracked render and internal plasterwork (some cracks repaired) caused by structural movement.

TENANT'S IMPROVEMENTS Additional kitchen cupboards and built-in wardrobes; oil-fired central heating; some tiling in bathroom; garage and sheds.

LOCATION Rural location overlooking parish church but within easy reach of Combs village.

SCARCITY

In the experience of the Committee, scarcity in the wider locality (mid Suffolk) for this type of property justifies a deduction of 10%.

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 (including the Rent Officer's Market Evidence Report) 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 £130.00 per week

COMMITTEE'S CALCULATIONS

Open market rent	£130.00 per week
Less global deduction for age, character, size, condition and lack of modern facilities and for tenant's improvements	
In all 25%	<u>£ 32.50</u>
Adjusted open market rent for this property	£ 97.50 per week
Reduction for scarcity 10%	<u>£ 9.75</u>
	<u>£ 87.75 per week</u>
Rounding slightly	£ 88.00 per week

THE RENT ACTS (MAXIMUM FAIR RENT) ORDER 1999

The maximum fair rent calculated in accordance with the formula set out in the Order is £86.00 per week. 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 £86.00 per week.

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.