

Eastern Rent Assessment Panel

File Ref No: Cam/22UL/MNR/2004/0033

Rent Assessment Committee:

Summary Reasons for Decision

Housing Act 1988 ("the Act")

Address of Premises:

174 Parklands
Rochford, SS14 1SY

The Committee Members were:

Mr John Hewitt Chairman
Mr Richard Marshall FRICS, FAAV
Mr Robert Eschle JP

The Tenant:

Ms Michele Lee

The Landlord:

London & Quadrant Housing Trust

1. Background

- 1.1 On 11 March 2004 the tenant of the Premises referred to the Committee a notice of increase in rent served by the landlord pursuant to s13 (2) of the Act.
- 1.2 The landlord's notice dated 11 February 2004 proposed a rent of £97.59 per week payable from 5 April 2004.
- 1.3 The tenancy commenced on 4 May 1998 and it is an assured weekly tenancy.
- 1.4 The tenant remains in occupation as a periodic tenant. The current rent is £89.25 per week.

2. Inspection

- 2.1 The Committee inspected the premises on 12 May 2004 and found them to be reasonably well located and in fair condition. The premises, constructed some 10 years or so ago comprise a small detached house with attached garage on a corner plot. The design of the house is pleasing, but it seems that many of the original fittings and installations, particularly plumbing

and carpentry were of poor quality, which rather spoils the overall impression. The Committee noted the damage to the fabric of the Premises, and the decoration and the carpets due to leakages from the central heating system, the water tank, and through a significant defect to the wooden frame of the rear door/window. The windows are single glazed and there was evidence of a condensation problem. Some internal doors are damaged and past there useful life and are in need of repair or replacement as appropriate. Evidently defects have been reported to the landlord and are awaiting attention.

2.2 The following improvements had been made to the Premises by the tenant:
None, relevant.

2.3 The following services are provided for the tenant:
None, relevant.

3. Evidence

3.1 The Committee received written representations from the tenant on form RAP5. These were copied to the landlord. No representations were received from the landlord. Neither party requested a hearing.

4. The Law

4.1 In accordance with the terms of s14 (1) of the Act, the Committee is required to determine the rent at which it considered the Premises might reasonably be expected to be let in the open market by a willing landlord to a willing tenant under an assured tenancy, and the assumptions set out in subsections (a) to (d) of the section.

4.2 In doing so the Committee must, in accordance with s14 (2) of the Act, disregard the effect on rent attributable to the granting of a tenancy to a sitting tenant, any increase in the value attributable to any relevant tenant's improvements and any reduction in the value attributable to a failure by a tenant to comply with any terms of the tenancy.

5. The Rent

5.1 In coming to its decision the Committee had regard to the representations of the tenant, which were substantiated at the inspection, and the members own general knowledge of market rents in the area of Rochford and the surrounding district.

5.2 In the first instance The Committee determined what rent the landlord could reasonably expect to achieve in the open market if the Premises were let today in the condition that is considered usual for such an open market letting.

The Committee considered that such a rent would be £135 per week.

5.3 However, the Premises are not in the condition considered usual for such a modern market letting. It is therefore necessary to adjust the hypothetical rent to allow for the differences between the condition considered usual for such a letting and the condition of the actual premises as observed by the Committee, and having regard to the provisions of s14 (2) of the Act. The Committee considered that this required a deduction of £30.50 per week. The committee had regard to the lack of white goods and carpets/curtains provided by the landlord and extent of disrepair of the Premises.

5.4 Summary

Open market modern rent	£135.00 per week
Deduction for lack of amenities and disrepair	£ 30.50

Market rent	£104.50 per week

6. **The Decision**

6.1 The Committee decide that the market rent for the Premises shall be £104.50 per week payable with effect from 5 April 2004.

Chairman



(John Hewitt)

Dated

12 May 2004

Note:

This document contains a summary of the reasons for the 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 28 days on which this document is sent to the parties.