

**STATEMENT OF REASONS FOR THE DECISION OF THE COMMITTEE WHICH MET
ON 27th JULY 2006 TO DETERMINE A MARKET RENT IN RESPECT OF 30A WALTON
STREET, OXFORD, OXFORDSHIRE OX2 6ED**

File Reference No.: CAM/38UC/MNR/2006/0041

Landlords: Lucy Properties, Walton Well Road, Oxford, OX2 6EE
Tenant: Mrs Eleanor Thompson
Rent at date of Application: £780.00 per calendar month
Rent Proposed by Landlord: £830.00 per calendar month
Rent Determined by Committee: £800.00 per calendar month

Members of the Committee: Mr JR Morris (Chairman)
Mr RC Petty FRICS
Mrs N Bhatti

Clerk to the Committee: Mr J Childe

The Tenancy:

The tenancy appears to be a contractual Assured Shorthold monthly tenancy, which commenced on 4th July 2003 (Copy provided). As an Assured Tenancy, not being for a fixed period of 7 years or more, s11 of the Landlord and Tenant Act 1985 applies in respect of the Landlord's liability for repairs.

Application:

The Landlord by a notice in the prescribed form dated 24th May 2006 proposed a new rent of £830.00 per calendar month to commence on 4th July 2006. On the 12th June 2006 the Tenant applied to the Rent Assessment Panel.

The Property:

The Property is a self-contained flat on two levels in a Victorian house constructed of brick under a pitched tile roof and converted into one flat and five bedsits, which share two bathrooms and a kitchen. The Property has its own entrance to a hall on the ground floor with stairs to the basement. The Property comprises a bedroom on the ground floor and a living room, kitchen, store and bathroom in the basement. Outside the flat has its own garden area. The Property has mains electricity, gas, water and drainage. Space heating is by electric night storage heaters and water heating is by electric immersion heater. The Property is let part furnished and an inventory was provided. The property is situated in close proximity to local shopping, schools and bus services. It is adjacent to a canal, which is attractive but causes the flat to be damp.

The Condition

The Committee inspected the Property in the presence of the Tenant and Ms Rachel Clark, the Landlord's Representative. Externally the Property is in fair condition. Internally the Property has a dated kitchen, which is not fitted, and basic bathroom. The storeroom is very damp. Carpets and white goods are provided. There is no off road parking.

Law:

Sections 13 and 14 of the Housing Act 1988 apply

Open Market Rent:

Written Representations

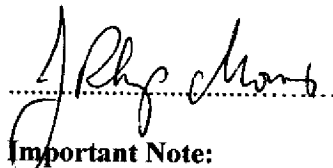
The Tenant stated that she was a pensioner and although she received Housing Benefit this would not be reviewed until 3rd November 2006. She said that she had been advised that the rent for a one bedroom flat was between £700-750 per month and that rents had gone up 8-9% in the last three years although this increase would raise the rent by 16.9% over three years.

The Landlord submitted evidence of rents of comparable properties. The most comparable property submitted was 1B Walton Well Road let at £795 per calendar month. This was said to have a similar size bedroom and sitting room as the Property but a very small kitchen however it is on the first floor and doesn't have a garden which some tenants may see as a benefit. The Committee using the experience of its members determined that the open market rent for the subject property to be £800.00 per calendar month.

Market Rent for subject property £800.00 per calendar month

The Committee cannot take into account the personal circumstances of a Tenant when assessing the amount of the rent although a limited discretion is given to the Committee in respect of the time when the rent increase takes effect.

Generally in accordance with section 14 (1)(a) and (b) Housing Act 1988 the rent increase should take effect from the beginning of the period of the Tenancy which in this case would be 4th July 2006, as stated in the Notice. However if the Committee consider it would cause the Tenant hardship for it to commence on that date, section 14 (7) Housing Act 1988 gives the Committee discretion to determine that the rent increase which is the subject of the application may take effect at any time up to and including the day of the Committee's assessment. In the present case the Committee determine that because Housing Benefit will not be reviewed until 3rd November 2006 and any other assistance is unlikely to be given until after this determination the Committee determine that the increased rent should take effect from 27th July 2006.

.....JR Morris, Chairman

Important 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 for such reasons is received by the Panel Office within 21 days form the receipt of this document. The papers will then be returned to the Chair for such detailed reasons to be prepared.

Caution: The Committee inspected the subject property for the purposes of reaching this decision. The inspection was not a structural survey and any comments about the condition of the property in this statement must not be relied upon as a guide to the structural or other condition of the property.