

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

35 York Street  
West Cowes  
Isle of Wight  
PO31 7BS

**The Committee members were**

Mr D M Nesbit JP FRICS FCI Arb  
Mr P D Turner-Powell FRICS  
Ms J K Morris

**1. Background**

On 15 July 2004 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.

The landlord's notice, which proposed a rent of £65 per week with effect from 28 July 2004 is dated 25 June 2004.

The tenancy is a statutory periodic tenancy by succession which arose on the death of the former tenant. The rent payable is £46 per week.

**2. Inspection**

The Committee inspected the property on 7 September 2004 and found it to be in poor condition.

The property lacked basic amenities with no kitchen and no bathroom.

The following qualifying tenant's improvements had been made to the property.

Work undertaken by the tenant was in respect of the previous protected tenancy.

The following services are provided for the tenant:

None

### **3. Evidence**

The committee received written representations from the landlord and/tenant and these were copied to the parties.

A hearing was held at Northwood House, Cowes, Isle of Wight on 7 September 2004 at which oral representations were made by the landlord and tenant.

### **4. The law**

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.

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.

In coming to its decision the Committee had regard to the evidence supplied by the parties and the members' own general knowledge of market rent levels in the area of the Isle of Wight and concluded that an appropriate market rent for the property would be £112.00 per week.

Properties let at a market rent are usually in good condition, with modern services and amenities and internal fittings, together with central heating. The Committee considered what adjustments or deductions should be made to reflect the current condition of the property, and the loss in rent terms of the absence of specific matters, and to reflect in particular the state of repair. For the convenience of the parties full details of those calculations are attached to this Decision.

## 5. The decision

The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £58.00 per week.

This rent will take effect from 28 July 2004 being the date specified by the landlord in the notice of increase.

*(signed)*

Chairman

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D M NESBIT

Dated

7 September 2004

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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.

**Re: 35 York Street, Cowes, Isle of Wight**

**Rental Calculations**

Market rent: £112.00 per week  
(£485.00 pcm)

Adjustments and deductions for

Lack of carpets and curtains	£ 5.00	
Lack of kitchen	£ 7.00	
Lack of bathroom	£ 7.00	
Condition of electrical wiring and services	£ 5.00	
Lack of central heating	£10.00	
Tenant's internal decorating liability	£10.00	
General state of disrepair	<u>£10.00</u>	
	<u>£54.00</u>	<u>£54.00</u>
Net rent		<u>£58.00</u>