

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

46 Ingleton Avenue  
Wellington  
Kent  
DA16 2JU

**The Committee members were**

Mrs T J Gordon  
Mr T N Johnson FRICS  
Mrs G V Barrett JP

**1. Background**

The Committee have read the representations of both parties regarding the date of the Tenant's Application. We noted the evidence of the S.13(4) Application having been handed into the Rent Assessment Panel during the evening of 31 March 2005, as well as of the Fax which was sent at 17.53 hours on that day. The Committee are satisfied that though the covering letter supplied was date stamped 1 April 2005, the Application having been served prior to the commencement of the proposed new rent, namely 1 April 2005, was validly served. The Committee therefore accepted jurisdiction and determined the matter.

On 31 March 2005 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 £650 per month with effect from 1 April 2005 is dated 10 February 2005.

The tenancy is a statutory periodic tenancy by succession which arose on the death of the former tenant. The rent payable is £205 per month.

**2. Inspection**

The Committee inspected the property on 11 May 2005 and found it to be in a basic and unmodernised condition internally, apart from replacement UPVC windows.

**3. Evidence**

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

Neither party requested a hearing at which oral representations could be made.

#### **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 Welling and concluded that an appropriate market rent for the property would be £500 per month.

**Note: the Committee may want to indicate here any particularly compelling market rental evidence on which it relied.**

#### **5. The decision**

The Committee therefore determined the rent at £500 per month.

This rent will take effect from 1 April 2005 being the date specified by the landlord in the notice of increase.

Chairman: T J Gordon

Dated: 25 May 2005

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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 written request to the committee clerk which must be made within 28 days from the date of issue of this document.

**BT**

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