

**Southern Rent Assessment Panel File Ref No.** CHI/43UF/MNR/2003/0183/01

**Rent Assessment Committee: Reasons for decision.  
Housing Act 1988**

**Address of Premises**

20 Beechwood Villas  
Redhill  
Surrey  
RH1 5EY

**The Committee members were**

Mr. J H S Preston JP FRICS  
Mr. R Potter FRICS  
Mr. D J Wills ACIB

**1. Background**

On 7 November 2003 Mr. M J Hancy, the tenant of the above property, referred to the Committee a notice of increase of rent served by Hamways as agents for Herne Hill Holdings Limited, the landlord, under section 13 of the Housing Act 1988. The landlord's notice, which proposed a rent of £800 per month with effect from 16 November 2003, is dated 2 October 2003.

The tenancy is a statutory periodic tenancy by succession, which arose on the death of the former tenant on 16 June 2003. The rent payable is £428.50 per month.

**2. Inspection**

A duly appointed Committee inspected the property on 13 January 2004 in the presence of the tenant and his representative Mr. A Hanmer.

It is a semi-detached house, constructed in the 1930's of rendered brick with a tiled roof. It has the following accommodation: -

Ground floor. Sitting room; Kitchen; Bathroom directly off the kitchen; Separate WC; Store.

First floor. Three bedrooms.

There is a garden to front and rear with a concrete garage to one side.

The road serving Beechwood Villas is an un-adopted concrete road, which is cracked and generally in poor condition. There are no kerbs or pavements.

The property has mains gas, electricity, water and drainage.

UPVC double-glazed windows and back door were fitted by the landlord about two years ago.

The condition of the property is indicative of a history of lack of regular maintenance. Externally the rendered walls, timber and ironwork are all in need of painting. There is evidence of damp penetration to some areas of the external walls.

Internal decorations are generally in poor condition; this is in part due to the dampness.

The electrical installation was rewired by the landlord about two years ago with surface wiring and mini-trunking.

### **3. The Hearing**

Written representations were received from Hamways in their letter dated 7 January 2004. They provided evidence of a semi-detached two-bedroom modernised and refurbished house in Spencer Way Redhill, let unfurnished without white goods or curtains currently at a rent of £850 per month. They also provided evidence of similar properties in Guildford, Epsom and Woking at rents ranging from £888 to £1075 per month. They expressed the opinion that the proposed rent of £800 per month was fair.

The tenant requested a hearing at which oral representations could be made.

A hearing was held on 13 January 2003 at No. 20 Beechwood Villas, after the inspection, at which the tenant and Mr. Hanmer made representations: -

- They drew attention to the poor condition of the property, in particular the penetrating damp.
- They thought that a rent of £800 per month was excessive, due to the condition and the lack of central heating and fitted kitchen.
- They acknowledged the landlord's rental evidence, but it was pointed out that rents in Spencer Way could be expected to be higher due to its proximity to the hospital.

### **4. The Law**

By Section 14 of the Housing Act 1988 the Committee is required to determine the rent at which the subject property might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy. In so doing the Committee is to ignore both the effect on the rental value of any relevant tenant's improvements as defined in section 14 (2) of that Act and any reduction in value due to the failure of the tenant to comply with any terms of the tenancy.

### **5. The Consideration, Reasons and Decision**

The Committee had regard to the evidence supplied by the parties and their own knowledge of market rent levels in the area of Reigate and Redhill and concluded that the rent at which the property might reasonably be expected to be let on the open market would be £750 per month. This took account of all relevant factors including its location off the A23 road and the un-adopted service road.

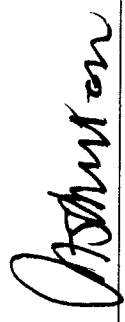
Such a rent would be on the basis that the property was in good modern letting condition, with fitted carpets. It would also have central heating and a modern kitchen and bathroom and be in good decorative condition throughout.

The Committee took account of: -

- The lack of carpets, central heating, modern fitted kitchen and bathroom.
- The state of disrepair.
- The tenant's liability for decoration and repairs under this tenancy, as compared with an open market assured shorthold tenancy.

In view of these deficiencies in the subject property, the Committee took the view that allowances totaling £240 per month should be made from the market rent to arrive at a rent appropriate to the property in its present condition.

The Committee concluded that a rent of £510 per month should take effect from 16 November 2003, being the date specified by the landlord in the notice of increase.

Signed  J H S Preston (Chairman)

Dated 13 January 2004