

## **EASTERN RENT ASSESSMENT PANEL**

### **STATEMENT OF REASONS FOR THE DECISION OF THE COMMITTEE WHICH MET ON 16<sup>th</sup> AUGUST 2004 TO DETERMINE A MARKET RENT IN RESPECT OF 12 TOLLGATE ROAD, ABINGDON, OXFORDSHIRE OX14 4NL**

File Reference No.: CAM/38UD/MNR/2004/0055

Landlord: The Trustees of Mrs PVE Morrell's Marriage Settlement,  
Landlord's Agent: Adkin Commercial, Orpwood House, School Road,  
Ardington, Watnage, Oxon., OX12 8PQ

Tenant: Mr AG Sellwood

Existing Rent: £90.00 per week under the Rent Act 1977 (Capped at £69.00  
per week under Rent Acts (Maximum Fair Rent) Order 1999

Rent Proposed by Landlords: £450.00 per calendar month for a statutory periodic Assured  
Tenancy

Rent Determined by Committee: £96.00 per week for a statutory periodic Assured Tenancy  
[Equivalent to £416.00 per calendar month]

Members of the Committee: Mr JR Morris (Chairman)  
Mrs S Redmond BSc Econ MRICS  
Mr AK Kapur

Clerk to the Committee: Mr J Childe

#### **The Tenancy:**

The tenancy appears to be a statutory weekly periodic Assured Tenancy under the Housing Act 1988 as amended which commenced on 3<sup>rd</sup> May 2004.

#### **The Application:**

The Landlord by a notice in the prescribed form dated 4<sup>th</sup> June 2004 proposed a new rent of £450.00 per calendar month as from 3<sup>rd</sup> August 2004. On 16<sup>th</sup> June 2004 the Tenant applied to refer the notice proposing a new rent to the Rent Assessment Panel for a determination. A Hearing was held on the 16<sup>th</sup> August 2004 following an inspection of the property. The Tenant and Mrs Sellwood and Mrs Bowler representing the Landlord's Agents attended.

#### **The Property:**

The property is a two storey semi-detached house constructed of brick under a tile roof built circa 1868. The house comprises a lobby, a hall (described in submissions as a dining room) with stairs rising to the first floor, a sitting room, a kitchen and shower room with wash hand basin and w.c on the ground floor and three bedrooms on the first floor. Space heating is by three night storage heaters provided by the Landlord and the Tenant's appliances. Water is heated by an immersion. The property has mains electricity, gas, water and drainage. The property is let unfurnished. Outside there is off road parking. The property is on a corner plot with gardens to front side and rear. The property is situated in the village of Culham on a busy road. There is no village shop or post office.

#### **Condition:**

The Committee inspected the property in the presence of the Tenant and the Landlord's Agent. Externally the property is in poor condition. The gutters and down pipes are cast iron. Most of the windows are upvc double glazed units although those in the front and middle bedroom are damaged and cannot be opened. The woodwork, rainwater goods and remaining metal windows are in need of re-decoration. There is rotten wood in the front door. Some cracking and apparent movement was noted. The Landlord has fitted chimney cowl but the open fires are unserviceable. Internally there is a fitted kitchen although no longer new. The shower room is small but has modern fittings. There is only one electrical socket for each room except in the kitchen. The stair treads were uneven. The walls in the hall/dining room, landing and bedroom 3 were not plastered. Carpets, curtains and white goods are not provided

**Law:**

Sections 13 and 14 of the Housing Act 1988 apply.

**Open Market Rent**

***Parties' submissions:***

The Tenant stated that the property had not been decorated for at least 16 years, the down pipes were blocked and overflowed and that there was some damp in the living room. Some cracking and a gap in the floor of bedroom 3 indicating movement were pointed out.

The Landlord's Agent stated that a survey of the house had been undertaken and they had been advised that no remedial work was required. Repair work had been undertaken in the past, including the installation of a damp proof course, and invoices had been supplied.

The Landlord submitted three properties as being comparable to the subject property.

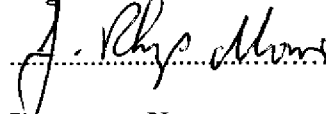
- 3 High Street, Culham is a three bedroom semi-detached house, which had been extended to give a first floor bathroom and modernised with electric central heating and new kitchen/breakfast room. Externally the property appeared to be in a good state of repair and has parking. The property is let on an Assured Shorthold Tenancy at a rent of £825 per calendar month
- 36 High Street, Culham is a two bedroom semi detached house and has been modernised with oil fired central heating and a new kitchen. There is no off road parking. It is let on an Assured Shorthold Tenancy at a rent of £665 per calendar month.
- 15b Ardington, Wantage is a three bedroom unmodernised end of terrace house let on an Assured Shorthold Tenancy at a rent of £450 per calendar month.

***Committee's Decision:***

Although the properties submitted were not directly comparable the Committee noted them and took account of the differences between them and the subject property. The Committee assessed a market rent for a property similar to the subject property, taking into account its location, in good condition with central heating, double glazing, modern kitchen and bathroom, and let with carpets and white goods on an Assured Shorthold Tenancy would be £160.00 per week. However the Committee considered that a global deduction of 40% (£64.00 per week) should be made in respect of the subject property due to the kitchen, the lack of full central heating, carpets and white good and the disrepair. It should be noted that this figure cannot be a simple arithmetical calculation and is not based specifically upon capital cost but is the Committee's estimate of the amount by which the rent would have to be reduced to attract a tenant.

**Market Rent for subject property £96.00 per week [Equivalent to £416 per calendar month]**

The Committee determined that in accordance with section 14 (1)(a) and (b) Housing Act 1988 the rent should commence from the beginning of the period of the Tenancy and having taken account of section 14 (7) Housing Act 1988, determined that the increased rent should take effect from the 3<sup>rd</sup> August 2004.

.....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 from 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.