

EASTERN RENT ASSESSMENT PANEL

Statement of Reasons for the Decision by a Committee of the Panel following an Inspection
carried out on 27th May 2004

Rent Assessment Committee

Mrs H C Bowers BSc(Econ) MRICS (Chairman)

Mr J J Sims LL.M MPhil

Mrs N Bhatti

Case No.:	CAM/00MB/MNR/2004/0028
Re:	2 Ambury Road, Aldworth Reading, Berkshire.
Landlord:	Mr P Walters
Tenant:	Mr Carter

Introduction

1. The Committee considered an application dated 29th March 2004, made by the tenant, Mr Carter, referring a notice proposing a new rent under an Assured Periodic Tenancy. The landlord, Mr Walters, had served a notice, dated 24th March 2004, proposing that a rent of £750 per calendar month for 2 Ambury Road (the subject property) with effect from 24th April 2004.

The Statutory Provisions and the Tenancy Agreement

2. This matter comes under the jurisdiction of Sections 13 and 14 of the Housing Act 1988 (the Act). Section 13 of the Act provides for annual increase of rent under Assured Periodic tenancies by notice in the prescribed form, served by the landlord on the tenant and for the tenant by an application in the prescribed form to refer the notice to the Rent Assessment Committee.
3. Section 14(1) of the Act provides for the determination of rent by Rent Assessment Committee. The Committee is required to determine the rent at which the subject property could reasonably be expected to let in the open market by a willing landlord on the basis of an assured tenancy commencing on 24th April 2004 but upon the same terms as the subject tenancy, except as they relate to the amount of rent.
4. Section 14(2) of the Act states that the Committee shall disregard the following:-

- Any effect on the rent attributable to the granting of a tenancy to a sitting tenant;
 - Any increase in value of the property attributable to an improvement carried out by the tenant, other than in pursuant of an obligation;
 - Any reduction in the value of the property attributable to the tenant's failure to comply with the terms of the tenancy.
5. There was no tenancy agreement made available to the Committee. However, we understand that this is a monthly Assured Periodic tenancy.

Inspection

6. We made our inspection on 27th May 2004, in the company of the tenant. The subject property is a semi-detached house, of brick and tiled construction. The accommodation comprises two reception rooms, a kitchen and a lobby with a cloakroom on the ground floor and three bedrooms and a bathroom on the first floor. The bathroom is fairly basic and the tenant has refurbished the kitchen. The house is heated with an oil fired central heating system. There is some evidence of damp penetration and it was noted that the chimney appeared to be unsound and in need of attention.
7. The house is a rural position, with a few similar residential properties in the vicinity. There is some limited off street parking. There are reasonably sized gardens to the front and rear of the house.

Representations and Hearing

8. Neither party requested a hearing and therefore this matter was dealt with by the means of written representations. Written representations had been received from both parties and these had been copied to the other party.

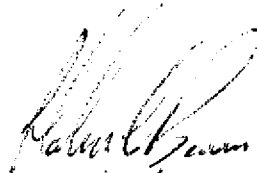
Consideration

9. In accordance with the Act we start by looking at the open market rental value of the property. From this we may make a number of adjustments as required by the Act and thus deduce the net market rent for the property under the Assured Periodic Tenancy.
10. We were provided with some comparable information by the landlord's agents. However, the information was very sparse in relation to the facilities that the comparable property offered. In

15. We therefore determine a rent of £695 per calendar month. The rent is effective from 24th April 2004 the date given in the landlord's notice.

Chairman

Date:-


22/6/04.