

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

85 Mary Street
Bovey Tracy, Devon
TQ13 9HQ

The Committee members were

D G Willis (Chair)
T N Shobrook BSc FRICS
M C Woodrow MRICS

1. Background

On 19th December 2003 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 £400.00 per calendar month with effect from 1st January 2004 is dated 3rd November 2003.

The tenancy is a periodic tenancy with an unknown commencement date. The current rent is £40 per week.

2. Inspection

The Committee inspected the property on 28th January 2004 and found it to be in a very poor condition both internally and externally although the rainwater goods had been renewed 10 years or so ago. The tenant had renewed some of the wiring and plumbing.

3. Evidence

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

A hearing was held on 28th January 2004 at which the Committee expressed concern as to the date of the commencement of the tenancy, and consequently whether the tenancy was governed by the Rent Acts or Housing Act.

The matter was adjourned to enable the parties to determine the type of tenancy enjoyed by the tenant.

Both the Landlord and the Tenant have agreed that the tenancy is an assured one.

4. The decision

In the present case the Committee had regard to the evidence supplied by the tenant and their own knowledge of market rent levels in the area of Bovey Tracey and concluded that the rent at which the property might reasonably be expected to be let on the open market would be £280.00 per calendar month.

This rent will take effect from 1st March 2004.

Chairman (Signed)

D G Willis (Chair)

Dated 8th March 2004

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.