

Rent Assessment Committee: Summary reasons for decision.

Housing Act 1988

Address of Premises

FLAT 7, PETER HERVE HOUSE,
THE CHIPPING,
TETBURY,
GLOUCESTERSHIRE,
GL8 8ET

The Committee members were

Mr Graham Young MA LLM
Mr Paul Smith Bsc FSVA IRRV
Mr Colin Gale

1. Background

On 1st January 2005 the tenant of the above property made an application for a determination of Rent under an Assured Shorthold Tenancy under section 22 (1) of the Housing Act 1988.

The tenancy commenced on 12th October 2004 for a term of 6 months. The tenant remains in occupation as a statutory periodic tenant. The current rent is £7,200 per Annum.(£600 per calendar month).

2. Inspection

The Committee inspected the property on 3rd March 2005 and found it to be in good condition.

The property is on the first floor of a purpose built block of 9 flats constructed to a high specification and less than two years old. There is one bedroom, (used at present for storage) a lounge with kitchen leading from it, bathroom and hallway. It was let fully carpeted and curtained with blinds, a fully fitted kitchen and provisions of TV, FM and telephone points.

The following services are provided for the tenant:

- Water tax
- Lighting, heating and cleaning of the communal parts
- A lift
- Electricity, heating, water and sewerage for the flat
- Gardening maintenance of the grounds
- Parking for visitors
- Rubbish disposal
- The use of a communal guest room at a cost of £10 for the first night and £5 per night thereafter
- Fire alarm system
- External window cleaning
- Television licence if tenants do not qualify for a “free” licence.

3. Evidence

The committee received written representations from the landlord and tenant and these were copied to the parties. They extended to 24 pages.

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

It was concluded that this flat is attractive having views over the extensive gardens, and a corridor which insulates the flat from noise generally. The flat was very small, there were few cupboards, and no space where they could be provided. The bathroom was poorly planned and the cupboard door (if open) over the basin could lead to accidents. The flat is not specifically designed for an old person.

The committee found that while that outlook and the situation of the block were very attractive and the flat generally was built to a high standard, nevertheless that flat was very, very small, combined with the fact that there were very few cupboards provided and little space where these could be installed.

The committee consisted of identical members who in February 2004 had to consider two other flats in this development, one of which was very similar to the subject property. Taking into account their knowledge of these other two flats, and all other relevant factors including increases in rent locally since February 2004 the committee felt that the rent should be confirmed at £600 per calendar month.

4. The law

In accordance with the terms of section 22 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 shorthold tenancy.

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 Tetbury and concluded that an appropriate market rent for the property would be £600 per calendar month.

5. The decision

The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £600 per calendar month inclusive of £40 in respect of services.

This rent will take effect from 1st April 2005 being the date fixed by the committee under S.22(4) Housing Act 1988.

Chairman  _____

Dated 10.3.05

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.