

Rent Assessment Committee: Summary reasons for decision.

Housing Act 1988

Address of Premises

Ground Floor Flat
63 Culverden Park Road
Tunbridge Wells
Kent
TN4 9RB

The Committee members were

Mr R Norman, Lawyer (Chairman)
Mr M Marshall FRICS
Ms J Dalal

1. Background

On 24th June 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 is dated 28th May 2003 and proposed a rent of £155 per week with effect from 30th June 2003 or the next starting date of a period of the tenancy if 30th June 2003 is not such a date.

The tenancy is a statutory periodic tenancy by succession which arose on the death of the former tenant. The rent payable is £405 per calendar month.

2. Inspection

The Committee inspected the property on 20th August 2003 and found it to be in poor condition with evidence of damp in many of the rooms.

3. Evidence

The committee received written representations from the landlord and these were copied to the tenant.

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

4. The law

In accordance with the terms of section 14 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 tenancy.

In so doing the Committee, as required by section 14(1), ignored the effect on the rental value of the property of any relevant tenant's improvements as defined in section 14(2) of that Act.

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 Tunbridge Wells, Tonbridge and Crowborough and concluded that an appropriate market rent for the property would be £495 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 £495 per calendar month.

This rent will take effect from 17th July 2003 being the next starting date of a period of the tenancy after 30th June 2003.

Chairman



Dated



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.