

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

YORK COTTAGE,  
31 CHURCH ROAD,  
LEATHERHEAD,  
SURREY,  
KT22 8AT

**The Committee members were**

Mr Philip Langford MA LLB  
Mr Brandon Simms FRICS MCI Arb  
Mrs Juliet Playfair

**1. Background**

On 20 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, which proposed a rent of £2700 per quarter with effect from 24 June 2003 is dated 18 March 2003.

The tenancy is a statutory periodic tenancy by succession which arose on the death of the former tenant. The rent payable is £2400 per quarter.

**2. Inspection**

The Committee inspected the property on 24 September 2003 and found it to be in fair condition.

The house was a detached house providing accommodation of 4 bedrooms, 3 living rooms, kitchen, bathroom, separate WC and cellar. There was an overgrown garden and room for off-street parking. External decorations were reasonable but poor in places. It appeared that the interior, which was very cluttered, and the exterior, together with the gutters and the wiring needed substantial redecoration and overhaul.

Under the terms of the tenancy, these matters were the responsibility of the tenant and did not therefore affect the determination of the rent. The central heating had been installed many years previously by the tenant's predecessor, a regulated tenant, and did not therefore qualify as a relevant tenant's improvement.

### **3. Evidence**

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

A hearing was held at 1pm on 24 September 2003 in the Leisure Centre, Leatherhead at which oral representations were made by the landlord. The tenant was not present or represented.

### **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 Leatherhead and concluded that an appropriate market rent for the property would be £3255 per quarter.

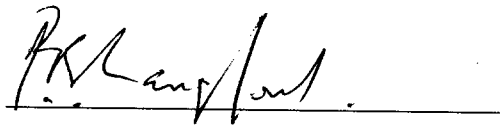
Patrick Gardner & Co, a large firm of estate agents in Leatherhead, submitted a statement that they would hope to achieve a monthly rental figure of £1300 per month (£3900 per quarter) for the property in its present condition.

## **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 £3255 per quarter.

This rent will take effect from 24 June 2003 being the date specified by the landlord in the notice of increase with the first payment of the increased rent to be made on 29 September 2003.

Chairman



Dated

16 October 2003

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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.