

**RESIDENTIAL PROPERTY TRIBUNAL SERVICE**

**EASTERN RENT ASSESSMENT PANEL**

**Case number : CAM/44UH/MNR/2006/0011**

**HOUSING ACT 1988**

**RULING of the Committee which met on Tuesday 9<sup>th</sup> May 2006 to consider whether it has jurisdiction to determine the open market rent in respect of :**

**19 Hungate Lane, Beccles, Suffolk NR34 9TN**

Landlord ..... A T Bent Properties Ltd  
Tenant ..... Mr A W J Graham-Kerr

**Members of the Committee**

Mr G K Sinclair (chairman), Mr J B Shrive FRICS FAAV (valuer) & Mr R S Rehahn (lay member)

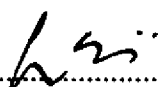
UPON considering the *Landlord's Notice Proposing a New Rent Under an Assured Periodic Tenancy or Agricultural Occupancy*, declared to take effect as from 15<sup>th</sup> February 2006,

AND UPON the landlord, by its director Mrs Elizabeth Bent and its representative Mr Hofton, conceding the point

the Committee RULES that the above Notice is invalid for the following reasons :

1. It is not in the form prescribed for the purposes of section 13(2) of the Housing Act 1988, as amended by the Regulatory Reform (Assured Periodic Tenancies) (Rent Increases) Order 2003, namely by the Assured Tenancies and Agricultural Occupancies (Forms) (Amendment) (England) Regulations 2003 [Form No 4B].
2. The starting date for the proposed rent increase does not fall at the beginning of a period of the tenancy. In this case the tenancy, which is now a monthly periodic tenancy, began on 21<sup>st</sup> February 2003 and rent is payable on the 21<sup>st</sup> day of each calendar month.
3. The landlord's notice is undated.

Due to the invalidity of the notice the proposed rent increase is ineffective and the Committee has no jurisdiction to deal with the tenant's application (which itself is rendered nugatory).

Signed .....  .....

Graham Sinclair - Chairman, for the Rent Assessment Committee