

**EASTERN RENT ASSESSMENT PANEL**

**Case number : CAM/42UG/F77/2005/0088**

**RENT ACT 1977**



**SUMMARY STATEMENT OF REASONS** for the decision of the Committee which met to determine the open market rent in respect of :

**26 Faversham Court, Silverwood Close, Lowestoft, Suffolk NR33 7LZ**

**Date of inspection : Wednesday 14<sup>th</sup> September 2005**

**Date of decision : Wednesday 19<sup>th</sup> October 2005**

Landlord ..... Orbit Housing Association  
Tenant ..... Mrs V M Kime  
Rent proposed by Applicant ..... £71.65 per week\*  
Rent determined by Rent Officer ..... £78.00 per week\*  
Rent determined by the Committee (inclusive of service charge) ..... £95.00 per week  
Capped rent determined by the Committee (inc. service charge) ..... £81.44 per week

\* The rent sought included a service charge of £26.94 per week incurred in respect of the property, but not an additional *Supporting People* charge in respect of personal services, which does not count towards the assessment of Housing Benefit. The rent determined by the Rent Officer includes this latter element as part of the service charge, thus producing a net rent lower than that registered in 2003.

**Members of the Committee**

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

**The Premises**

The Committee inspected the subject property, a 1-bedroom purpose-built flat in a sheltered housing scheme for 41 residents erected in about the 1970s. Accommodation and facilities are broadly as described in the Rent Register and the Rent Officer's layout plan.

**Condition**

Good decorative order. All windows are double glazed sealed units within wooden frames. Electric night storage heating in each room.

**Tenants' improvements**

Tenant has provided carpets, curtains and own furniture, save for fitted units and cooker in kitchen

<b>Location</b>	On southern edge of Lowestoft, near Pakefield, just off main A12 trunk road and a 5 minute drive into the town centre. Local shopping and amenities nearby, within range of motorised buggies used by a number of residents. Convenient to beach and coastal resorts to south of the town; also to link road through to A146 road for Beccles and Norwich
<b>Scarcity</b>	10%
<b>Law applied</b>	Rent Act 1977, s.70, as explained and clarified by the courts, <sup>1</sup> and the Rent Acts (Maximum Fair Rent) Order 1999
<b>Open market rent</b>	Taking into account evidence & Committee members' knowledge & experience, decided at £350 per calendar month for property in good condition & modern facilities, carpets, curtains, etc.
<b>Calculations</b>	<p>OMV (net of service charges) ..... £350.00 pcm</p> <p>Less : Lack of white goods, carpets &amp; curtains ..... <u>-£17.50 pcm</u></p> <p>Net OMV ..... £332.50 pcm</p> <p>Less : Scarcity @ 10% ..... <u>-£33.25 pcm</u></p> <p>Net fair rent ..... £299.25 pcm</p> <p>or ..... £69.06 pwk</p> <p>Add back current service charge ..... <u>£26.94 pwk</u></p> <p>Fair rent (inclusive of service charge) ..... £95.00 pwk</p> <p>Capped rent (inclusive of service charge) ..... <b>£81.44 pwk</b></p>
<b>Rent capping</b>	The Rent Acts (Maximum Fair Rent) Order 1999 applies and, for the reasons above, reduces the rent assessed by the Committee to a maximum of £81.44 per week (£54.50 per week plus £26.94 service charge).
<b>Decision</b>	The fair rent to be registered, with effect from 19 <sup>th</sup> October 2005, is therefore £81.44 per week

Signed  .....

*pro.*

Graham Sinclair - Chairman, for the Rent Assessment Committee

<sup>1</sup> *Curtis v London Rent Assessment Panel & others* [1997] 4 All ER 842(CA); *Queensway Housing Association Ltd v Chiltern, Thames and Eastern Rent Assessment Committee* (1998) 31 HLR 945; *Forebury Estates Ltd v Chiltern, Thames and Eastern Rent Assessment Panel*, *The Times*, 11<sup>th</sup> July 2000; *Spath Holme Ltd v North Western Rent Assessment Committee & Bigio* (QBD Admin Ct, 12<sup>th</sup> July 2001)

**Notes :**

1. This is a summary of the Committee's reasons for its decision. Should you require more detailed reasons they can be supplied only if a written request for such reasons is received by the Panel Office within 21 days from receipt of this document.
2. Upon the evidence before the Committee the service charge is calculated upon the basis of the previous year's actual expenditure, and so is variable. It has been recorded as such. This affects how the rent capping provisions are calculated.
3. In addition to the amount registered the tenant is obliged to pay an additional amount in respect of personal services provided (on-call warden and/or alarm system, etc) in the sum of £11.29 per week (the *Supporting People* charge). This last item is not part of the rent to be registered for the property.