

Rent Assessment Committee: Summary reasons for decision.
Housing Act 1988

Address of Premises

164 Otford Road
Sevenoaks
Kent

The Committee members were

Mr P Langford MA LLB
Mr M Marshall FRICS
Ms L Farrier

1. Background

On 13 March 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 £ 575 per month with effect from 1 April 2003 is dated 19 February 2003

~~The tenancy commenced on 31 March 2002 for a term of months/years. The tenant remains in occupation as a statutory periodic tenant. The current rent is £..... per~~

~~The tenancy is a periodic tenancy which commenced on The current rent is £..... per.....~~

~~The tenancy is a statutory periodic tenancy by succession which arose on the death of the former tenant. The rent payable is £ 64.50 per week~~

2. Inspection

The Committee inspected the property on 14 April 2013 and found it to be in ~~good/fair/poor~~* condition.* The external decorations had been neglected and some of the window frames had rotted. The paintwork to the rendering on the front and rear elevations was poor. The brickwork to the chimney stack was defective and in need of attention.

[Brief description of condition]

~~The following qualifying tenant's improvements had been made to the property.*~~

~~The Committee was unable to gain access at the appointed time in order to inspect the property internally and therefore made an external inspection only.*~~

~~The following services are provided for the tenant.*~~

3. Evidence

The committee received written representations from the ~~landlord and~~ landlord and these were copied to the ~~parties~~ ^{landlord}. No written representations were received from the landlord/tenant/either party.*

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

~~A hearing was held at on in at which oral representations were made by/on behalf of* the landlord and/tenant.* The landlord/tenant* was not present or represented.*~~

~~A hearing was arranged for on in but neither party attended.*~~

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 and concluded that an appropriate market rent for the property would be £..... per week/fairnight/month/quarter.*~~

~~Note: the Committee may want to indicate here any particularly compelling market rental evidence on which it relied.~~

5. The decision

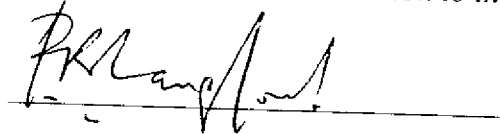
The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £~~150~~ 112 per week/fairnight/month/quarter/inclusive of in respect of services.*

This rent will take effect from 1st April 2003 being the date specified by the landlord in the notice of increase.*

*This rent will take effect from the committee being satisfied that undue hardship would otherwise be caused to the tenant. **

It should be noted that the tenancy contains a variable service charge within the meaning of section 18 of the Landlord and Tenant Act 1985. It follows that in accordance with Housing Act 1988, section 14(4) the rent determined by the Committee for the purposes of this application is exclusive of that service charge which will therefore be recoverable in addition to the rent determined.

Chairman



Dated

14 April 2013

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.

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Mr P Langford MA LLB
Mr M Marshall FRICS
Ms L Farrier

1. Background

On 13th March 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 £575 per month with effect from 1st April 2003 is dated 19th February 2003.

The tenancy is a statutory periodic tenancy by succession which arose on the death of the former tenant. The rent payable is £84.50 per week.

2. Inspection

The Committee inspected the property on 14th April 2003 and found it to be in poor condition.

The external decorations had been neglected and some of the window frames had rotted. The paint work to the rendering of the front and rear elevations was poor. The brick work to the chimney stack was defective and in need of attention.

3. Evidence

The committee received written representations from the tenant and these were copied to the Landlord. No written representations were received from the landlord.

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.

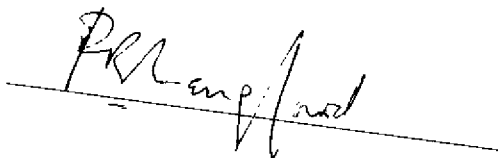
In coming to its decision the Committee had regard to the members' own general knowledge of market rent levels in the area of Sevenoaks and concluded that an appropriate market rent for the property would be £112 per week.

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 £112 per week.

This rent will take effect from the 1st April 2003 being the date specified by the landlord in the notice of increase.

Chairman



Dated 22 April 2003

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.