

**NOTICE OF THE DECISION AND REASONS  
OF THE  
RENT ASSESSMENT COMMITTEE**

**Housing Act 1988**

**Address of Premises**

Flat 3,  
Hermes Close  
Handsworth Road  
Birmingham  
B20 2DR

**Committee Members**

Mr. W. J. MARTIN  
MR. W. J. ANDREWS  
MR. J. ARAIN

**Tenant:**

Mr. C. Robinson

**Landlord:**

City Estates (Midlands) Limited

**Landlord's Address:**

258 Soho Road,  
Handsworth  
Birmingham  
B21 9LX

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**Background**

1. On a date in April, 2004 the Tenant made an application to a Rent Assessment Committee under Section 22(1) of the Housing Act 1988 for a determination of the rent in respect of the above premises.
2. In paragraph 5 of the application form the Tenant stated that the present tenancy began in October, 2003 and that this tenancy replaced an original tenancy which began in April, 2002.
3. Section 22(2) of the Housing Act 1988 provides that:-

*No application may be made under this section if.....*

(aa) *the tenancy is one to which Section 19A above applies and more than six months have elapsed since the beginning of the tenancy or, in the case of a replacement tenancy, since the beginning of the original tenancy.....*

4. The tenancy is one which Section 19A of the Housing Act, 1988 applies.
5. Because it appeared that the Tenant's notice may be invalid because it did not comply with Section 22(2) of the Act, a Committee was appointed to determine whether it had jurisdiction to consider the Tenant's application.

### **Written Representations**

6. Both parties made representations but none of these addressed the issue referred to in 5 above.

### **Hearing**

7. A hearing was held on the 21<sup>st</sup> June, 2004 which was attended by directors of City Estates (Midlands) Limited but no representations were made by them.

### **Decision**

8. The Committee determined that the Tenant's application to them is invalid as it does not comply with Section 22(2) of the Act and that therefore they have no jurisdiction in this case.

Dated 2004.

SIGNED \_\_\_\_\_



**W. J. MARTIN (Chairman)**