

**STATEMENT OF REASONS FOR THE DECISION OF THE COMMITTEE WHICH MET
ON 5th MAY 2006 TO DETERMINE A MARKET RENT IN RESPECT OF 54 WITNEY
STREET, BURFORD, CAMBRIDGESHIRE OX18 4SN**

File Reference No.: CAM/12UG/MNR/2006/0019

Landlords: Cottsway Housing Association, Cottsway House, Heynes Place, Avenue Two, Witney Oxfordshire OX28 4YG

Tenant: Mr G Howells

Rent at date of Application: £38.58 per week,

Rent Proposed by Landlord: £40.89 per week

Rent Determined by Committee: £96.00 per week

Members of the Committee: Mr JR Morris (Chairman)
Mr RC Petty FRICS
Mr D Wills ACIB

Clerk to the Committee: Mr J Childe

The Tenancy:

The tenancy appears to be an Assured non-shorthold periodic tenancy, which commenced in 1996. As an Assured Tenancy, not being for a fixed period of 7 years or more, s11 of the Landlord and Tenant Act 1985 applies in respect of the Landlord's liability for repairs and the Tenant is responsible for internal decorations.

Application:

The Landlord by a notice in the prescribed form dated 23rd February 2006 proposed a new rent of £40.89 per week to commence on Monday 3rd April 2006. On the 8th March 2006 the Tenant applied to the Rent Assessment Panel.

The Property:

The Property is a semi-detached one bedroom bungalow constructed of stone under a pitched roof built in circa 1960. The Property comprises a hall, a living room off which is a bedroom, kitchen and bathroom. Outside there are gardens to the front and rear of the Property and side access to the rear. The Property has mains electricity, gas, water and drainage. Space heating is by electric night storage heaters and water heating is by electric immersion heater. The Property is let unfurnished. The property is situated in close proximity to local shopping, schools and bus services.

The Condition

The Committee inspected the Property in the presence of the Tenant. Externally the Property is in fair to good condition. It has upvc double glazed windows. Internally the Property is compact with little storage space. There is a modern kitchen but the bathroom is dated. Carpets, curtains and white goods are not provided. There is no off road parking.

Law:

Sections 13 and 14 of the Housing Act 1988 apply

Open Market Rent:

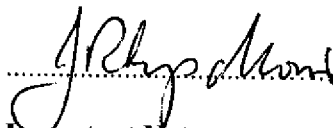
A Hearing was held at which only the Tenant attended. He stated that although the proposed rent was below market standards nevertheless the annual increases were putting it at a level when it was becoming unaffordable and his Application was intended to draw this to the attention of the Landlord. Neither party submitted evidence of rents of comparable properties therefore the Committee used the experience of its members and determined that the open market rent for the subject property in good condition, with central heating, double-glazing, modern kitchen and bathroom, and with carpets and curtains to be £125.00 per week. However the Committee made a global deduction of £24.00 per week

for the dated bathroom, lack of carpets, curtains and white goods and differences in tenancy terms. It should be noted that this figure cannot be a simple arithmetical calculation and is not based specifically upon capital cost but is the Committee's estimate of the amount by which the rent would have to be reduced to attract a tenant.

In pursuance of the legislation the Committee assess a market rent which is the maximum rent that the Landlord can charge although it is appreciated that a landlord, such as a Registered Social Landlord, will charge a lesser rent.

Market Rent for subject property £96.00 per week excluding water rate and council tax

The Committee determined that in accordance with section 14 (1)(a) and (b) Housing Act 1988 the rent should commence from the beginning of the period of the Tenancy and having taken account of section 14 (7) Housing Act 1988, determined that the increased rent should take effect from Monday 3rd April 2006.

.....JR Morris, Chairman

Important Note:

This is a summary of the Committee's reasons for its decision. Should you require more detailed reasons, they can be supplied but only if a written request for such reasons is received by the Panel Office within 21 days form the receipt of this document. The papers will then be returned to the Chair for such detailed reasons to be prepared.

Caution: The Committee inspected the subject property for the purposes of reaching this decision. The inspection was not a structural survey and any comments about the condition of the property in this statement must not be relied upon as a guide to the structural or other condition of the property.