

## **EASTERN RENT ASSESSMENT PANEL**

### **STATEMENT OF REASONS FOR THE DECISION OF THE COMMITTEE WHICH MET ON 15<sup>th</sup> JUNE 2005 TO DETERMINE A MARKET RENT IN RESPECT OF 3 WELLGROUND COTTAGES, WORMSLEY ESTATE, STOKENCHURCH, HIGH WYCOMBE, BUCKINGHAMSHIRE HP14 3YG**

File Reference No.:	CAM/11UF/MNR/2005/0051
Landlord:	Wormsley Estate Limited
Landlord's Agent:	Mr Clegg of Willsons, Wormsley Estate Office, Stokenchurch, High Wycombe, Buckinghamshire HP 14 3YG
Tenant:	Mr AJ Collins
Existing Rent:	Nil – Tied house
Rent Proposed by Landlord:	£725.00 per calendar month
Rent Determined by Committee:	£680.00 per calendar month
Members of the Committee:	Mr JR Morris (Chairman) Mr R Auger FRICS Mr B Tyers
Clerk to the Committee:	Mr J Childe

#### **The Tenancy:**

The tenancy appears to be a contractual monthly Assured Tenancy that commenced in 1989 as tied Agricultural Occupancy and continues as Assured Tenancy following redundancy of the Tenant on 11<sup>th</sup> March 2005.

#### **The Application:**

The Landlord by a notice in the prescribed form dated 21<sup>st</sup> March 2005 proposed a new basic rent of £725.00 per calendar month week effective from the 1<sup>st</sup> May 2005. The tenant made an Application to the Rent Assessment Committee on the 18<sup>th</sup> April 2005.

#### **The Property:**

The Property is a two-storey three bedroom semi-detached house constructed of brick and rendered to the front elevations under a tile roof with part flat roof at the rear. Part of the property is believed to be several hundred year old however much of the house is relatively recent with the last refurbishment having been carried out in the 1980s. The Property comprises a hall with stairs rising to the first floor, two living rooms with rear lobby of which is the kitchen and w.c. and wash hand basin on the ground floor. There are three bedrooms and bathroom with w.c on the first floor. Water and space heating are provided by an oil fired central heating system. The Property has mains water and electricity and drainage is by septic tank. Outside there is a garden to the front side and rear and a garage some 250 metres away. The property is let unfurnished.

#### **The Condition**

The Committee inspected the Property in the presence of the Tenants. Externally the property is in generally good condition although is now due for external re-decoration. Internally, possibly due to additions over the years, the positioning of the doorways hampers the arrangement of furniture and fittings in the living rooms and kitchen. There is sparse modern fitted kitchen and a modern if basic bathroom. No white good or floor coverings are provided. The property is situated in a very rural location that is attractive in appearance but isolated nine tenths of a mile drive to the road. The Property has the security of being behind the estate gates but this also causes inconvenience in having to request the gates to be opened each time the Tenant or his visitors wishes to pass through. Some

inconvenience is also caused when events (e.g. cricket matches) take place on the estate. The nearest shops are at Stokenchurch some 4 miles away.

**Law:**

**Sections 13 and 14 of the Housing Act 1988 apply**

**Open Market Rent:**

The Tenant referred to a bungalow at £450 per calendar month although conceded that this was a different type of property. The Agent stated that the rent requested had been set by an outside estate agent who valued the property at between £900 and £950 if fitted with new kitchen and bathroom and white goods. The Agent also submitted information of rental for properties in the area none of which were a direct comparable and were asking rents but the Committee noted this evidence and added to it the knowledge and experience of its members. The Committee considered that a rent for the subject property taking into account its in good condition with central heating, double glazing, modern kitchen and bathroom, and let with carpets, curtains and white goods on an Assured Shorthold Tenancy would be £850.00 per week. However the Committee made a global deduction of £170.00 (which equates to 20%) to account for upgrading the bathroom and kitchen, the lack of carpets, curtains and white goods and the need for external re-decoration and the inconvenience of the location. 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.

**Committee's Calculations:**

Market rent	£850.00 per calendar month
Less global deduction	<u>£ 170.00</u>
	£ 680.00

**Market Rent for subject property** **£680.00 per calendar month**

The Committee determined that the increase in rent if commenced from the beginning of the period of the Tenancy in accordance with section 14 (1)(a) and (b) Housing Act 1988 would cause hardship. The Tribunal exercised its discretion pursuant to section 14 (7) Housing Act 1988 because the Tenant would have difficulty in applying for assistance e.g. Housing Benefit, following his redundancy, until the Committee determined the rent, particularly as the Property had been a house tied with the employment. Therefore the Tribunal determined that the increased rent should take effect from the date of determination which is the **15<sup>th</sup> June 2005**.

*JR Morris*.....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 of Reasons must not be relied upon as a guide to the structural or other condition of the property.