

## **EASTERN RENT ASSESSMENT PANEL**

### **SUMMARY OF REASONS FOR THE DECISION OF THE COMMITTEE WHICH MET ON 19<sup>th</sup> SEPTEMBER 2006 TO DETERMINE A FAIR RENT IN RESPECT OF FIRST FLOOR FLAT, 19 CATHARINE STREET, CAMBRIDGE CB1 3AW**

File Reference No.: CAM/12UB/F77/2006/0075

Landlord: Mr W Lindon, 21 Rampton Road, Willingham, Cambridgeshire  
CB4 5JG

Tenant: Mr P Allen

Existing Rent: £105.00 per week exempt from capping under Rent Acts (Maximum Fair Rent) Order – first registration

Rent Proposed by Landlord: £150.00 per week

Rent Determined by Rent Officer: £115.00 per week which is below the capped rent under Rent Acts (Maximum Fair Rent) Order

Rent Determined by Committee: £117.00 per week, capped under Rent Acts (Maximum Fair Rent) Order (Uncapped rent £120.00 per week)

Members of the Committee: Mr J R Morris (Chairman)  
Mr GRC Petty FRICS  
Mr PA Tunley

Clerk to the Committee: Ms J Zaban

#### **The Tenancy:**

The tenancy appears to be a statutory weekly periodic tenancy, which commenced in 1988. According to the Rent Register the Landlord is responsible for external repair and decoration and the Tenant is responsible for internal decoration. The tenancy is subject to Section 11 of the Landlord and Tenant Act 1985.

#### **The Application:**

A rent of £105.00 per week was first registered on 1<sup>st</sup> July 2004 and effective from that date. The Landlord by a notice in the prescribed form received by the Rent Service on the 25<sup>th</sup> April 2006 proposed a new rent of £105.00 per week. On the 9<sup>th</sup> June 2006 the Rent Officer registered a rent effective from 1<sup>st</sup> July 2006 of £115.00 per week, which was below the capped rent under the Rent Acts (Maximum Fair Rent) Order 1999. On the 7<sup>th</sup> August 2006 the Landlord applied to the Rent Assessment Panel.

#### **The Property:**

The Property is a self-contained flat in a converted two storey Victorian terraced house constructed of brick under a tile roof constructed. The Property comprises a hallway with stairs rising to the to the first floor landing off which is a living room, kitchen, shower room with wash hand basin and wc and two bedrooms access to one being through the other. Water and space heating is by gas fired central heating system. Outside there is a gravelled garden, which the Tenant shares with the tenant of the ground floor flat. The property has mains electricity, water and gas and drainage. The property is situated in a residential area with similar properties in close proximity to a range of amenities. The property is let unfurnished.

#### **Condition:**

The Committee inspected the property in the presence of the Tenant and the Landlord. The exterior of the property is in fair condition. Internally there is a small kitchen, which is not well fitted and has no natural light. The shower room has modern fittings. Carpets in the bedrooms and living room are provided. The other carpets and the curtains and white goods are the Tenant's.

#### **Law:**

Attached to this Statement of Reasons is a resumé of the law applied by the Committee.

### Open Market Rent

The Landlord in written representations stated that flats in the area for £650 -£800 per month and allowed the Committee to inspect 21 Catherine Street, a first floor flat which is let at a rent of £800 per month. Although 21 Catherine Street was found to be similar to the Subject Property nevertheless it was larger, the arrangement of rooms was better in that each led off the landing and all had natural light. The kitchen was also larger and better fitted than that in the Subject Property. The Committee found that compared with 21 Catherine Street the Subject Property would be at the lower end of the rental range submitted by the Landlord. The Committee therefore determined that a market rent for the Subject Property, taking into account its age, character, locality, and state of repair on an Assured Shorthold Tenancy would be £650.00 per calendar month which equates to £150.00 per week.

### Scarcity

The Committee found that there is substantial scarcity of "... similar dwelling-houses in the locality..." in this case Cambridgeshire, that are available for letting and a deduction would be made to reflect this of 20 %

### Committee's Calculations:

Open Market Rent:

£150.00 per week

Less Scarcity 20%

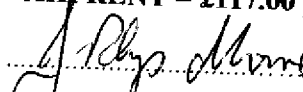
£ 30.00

£120.00 per week

'Uncapped' fair rent say £120.00 per week

The provisions of the Rent Acts (Maximum Fair Rent) Order 1999 require that the registered rent is either the capped Fair Rent or the Fair Rent decided by the Committee whichever is the lower. The capped Fair Rent is calculated in accordance with a statutory formula using the existing rent as a base. The capped rent in this case is £117.00 per week, which is lower than the Fair Rent assessed by the Committee and therefore the capped rent under the Rent Acts (Maximum Fair Rent) Order 1999 is to be registered.

**FAIR RENT = £117.00 per week**

 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 from 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.