

## RESIDENTIAL PROPERTY TRIBUNAL SERVICE

### EASTERN RENT ASSESSMENT PANEL

Case number : CAM/33UD/F77/2006/0056

RENT ACT 1977

**SUMMARY STATEMENT OF REASONS** for the decision of the Committee which met on Monday 17<sup>th</sup> July 2006 to determine a Fair Rent in respect of :

**6 Hardy Court, St George's Road, Great Yarmouth, Norfolk NR30 2BY**

Landlord ..... Orbit Housing Association  
Tenant ..... Mrs J Symonds  
Rent proposed by Applicant ..... £68.48 per week\*  
Rent determined by Rent Officer ..... £71.00 per week\*  
Rent determined by the Committee ..... £73.00 per week

- \* The rent sought included a service charge of £12.23 per week incurred in respect of the property. An additional *Supporting People* charge in respect of personal services is also levied, which does not count towards the assessment of Housing Benefit. The rent determined by the Rent Officer includes this latter element as part of the service charge

#### **Members of the Committee**

Mr G K Sinclair (chairman), Mr J B Shrive FRICS FAAV (valuer)  
& Mr R S Rehahn (lay member)

#### **The Premises**

The Committee inspected the subject property, a purpose-built one bedroom flat of fairly recent construction in a small block of six, with on-site parking. Layout is as per the Rent Officer's sketch plan. As a result of recent infill housing the view from the bedroom window has been blocked by a blank wall of pale brick about 5 feet away

#### **Condition**

The flat is well-decorated and in good condition internally, save for a draughty but awkward to use oriel window in the living room, to the bottom of which some battens had been added in an attempt to remedy the problem. Hall and landing looked dowdy, with an inappropriately placed doorstep failing to prevent damage to wall

#### **Tenants' improvements**

None

#### **Location**

On corner of two busy thoroughfares, within walking distance of town centre and sea front

<b>Scarcity</b>	10%
<b>Law applied</b>	Rent Act 1977, s.70, as explained and clarified by the courts, <sup>1</sup> and the Rent Acts (Maximum Fair Rent) Order 1999
<b>Open market rent</b>	Taking into account evidence & Committee members' knowledge & experience, decided at £85.00 per week for property in good condition & modern facilities, carpets, curtains, etc.
<b>Calculations</b>	OMV ..... £85.00 pwk Less : White goods, carpets & curtains ..... <u>-£4.00 pwk</u> Net OMV ..... £81.00 pwk Less : Scarcity @ 10% ..... -£8.10 pwk Net fair rent (inclusive of services) ..... £72.90 pwk Net fair rent (rounded) ..... <b>£73.00 pwk</b>
<b>Rent capping</b>	The Rent Acts (Maximum Fair Rent) Order 1999 applies to this property but the net rent assessed by the Committee is below the capped rent level of £75.50 per week
<b>Decision</b>	The fair rent to be registered with effect from 17 <sup>th</sup> July 2006 is therefore £73.00 per week. This excludes any contribution payable by the tenant towards <i>Supporting People</i> services provided to her, a scheme which falls outwith the provisions of the Rent Act 1977

Signed .....  .....

Graham Sinclair - Chairman, for the Rent Assessment Committee

**Note :**

This is a summary of the Committee's reasons for its decision. Should you require more detailed reasons they can be supplied only if a written request for such reasons is received by the Panel Office within 21 days from receipt of this document.

<sup>1</sup> *Curtis v London Rent Assessment Panel & others* [1997] 4 All ER 842(CA); *Queensway Housing Association Ltd v Chiltern, Thames and Eastern Rent Assessment Committee* (1998) 31 HLR 945; *Forebury Estates Ltd v Chiltern, Thames and Eastern Rent Assessment Panel*, *The Times*, 11<sup>th</sup> July 2000; *Spath Holme Ltd v North Western Rent Assessment Committee & Bigio* (QBD Admin Ct, 12<sup>th</sup> July 2001)