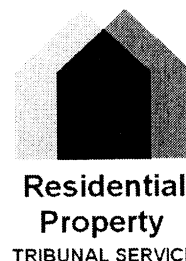


# LONDON RENT ASSESSMENT PANEL

## DECISION AND REASONS OF RENT ASSESSMENT COMMITTEE HOUSING ACT 1988 Section 13



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**Reference:** LON/00AK/MNR/2006/0226

**Address:** 7 Holden Lodge, 43 Springfield Road, New Southgate,  
London, N11 1RQ

**Landlord:** Parkcare Homes Ltd

**Tenant:** Mr Scott Mitchell

**Hearing Date:** 11 October 2006

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### **Decision**

The Committee does not have jurisdiction to determine this application for the reasons stated below.

### **Preliminary**

An application was received by the Committee on 31 July 2006. A hearing was offered at 9.30 am on 11 October 2006. The tenant's mother attended the hearing on his behalf.

### **The Law**

1. Where a landlord's Notice of a proposed new rent under an assured shorthold tenancy agreement (including a statutory periodic tenancy under Section 6 of the Housing Act 1988) is served on the tenant pursuant to Section 13(2) of the Housing Act 1988 as amended, the tenant may refer the Notice to the Rent Assessment Committee on the prescribed form, which is issued pursuant to Section 13(4) of the Housing Act 1988. This must be received at the Rent Assessment Panel before the date on which it is proposed that the new rent will take effect.
2. The Rent Assessment Committee has no discretion to accept late applications.

### **Facts Found**

1. The Committee examined the landlord's Section 13 Notice and the Tenancy Agreement dated 25 February 2003 (since the tenant's application referring

the matter to the Rent Assessment Committee claimed a different start date for the original tenancy) and determined that the landlord's Notice was valid.

2. The tenant's application was received by the Rent Assessment Panel on 31 July 2006, the day on which the new tenancy was to begin and thus was out of time.

### **Reasons for Decision**

The Rent Assessment Committee therefore determines that it does not have jurisdiction as the tenant's application is out of time.

Chairman F R Burton.....

Date 11 October 2006 .....

### **Committee**

Mrs F R Burton LLB LLM MA  
Mr J R Humphrys FRICS  
Mrs J Clark

JG  
LMR 05/AM