

## **Eastern Rent Assessment Panel**

**File Ref No:** Cam/09UC/MNR/2004/0045

### **Rent Assessment Committee:**

### **Summary Reasons for Decision**

### **Housing Act 1988 ("the Act")**

#### **Address of Premises:**

49 Holland Road  
Amptill  
Beds MK45 2RR

#### **The Committee Members were:**

Mr John Hewitt	Chairman
Mr G Rodney C Petty	FRICS
Mrs Najiba Bhatti	

#### **The Tenant:**

Mrs Elizabeth Neil

#### **The Landlord:**

Mr G Shepherd

## **1. Background**

- 1.1 On 4 April 2004 the tenant of the Premises referred to the Committee a notice of increase in rent served by the landlord pursuant to s13 (2) of the Act.
- 1.2 The landlord's notice dated 17 March 2002 proposed a rent of £625 per month payable from 1 May 2004.
- 1.3 The tenancy commenced on 1 April 1994 for a term of 3 months.
- 1.4 The tenant remains in occupation as a statutory periodic tenant. The current rent is £484 per month/week.

## **2. Inspection**

- 2.1 The Committee inspected the premises on 10 May 2004 and found them to be in fair condition and in need of external redecoration.
- 2.2 The following improvements had been made to the Premises by the tenant:  
None, relevant
- 2.3 The following services are provided for the tenant:

None, relevant

**3. Evidence**

- 3.1 The Committee received timely written representations from the tenant. On the day of the inspection written representations were provided by Mr Mire on behalf of the landlord. These were copied to the tenant for her comment. The tenant made comments on them in a letter dated 20 May 2004 which the Committee considered carefully.
- 3.2 Neither party requested a hearing.
- 3.3 The Committee considered carefully the written representations made by the parties.

**4. The Law**

- 4.1 In accordance with the terms of s14 (1) of the Act, the Committee is required to determine the rent at which it considered the Premises might reasonably be expected to be let in the open market by a willing landlord to a willing tenant under an assured tenancy, and the assumptions set out in subsections (a) to (d) of the section.
- 4.2 In doing so the Committee must, in accordance with s14 (2) of the Act, disregard the effect on rent attributable to the granting of a tenancy to a sitting tenant, any increase in the value attributable to any relevant tenant's improvements and any reduction in the value attributable to a failure by a tenant to comply with any terms of the tenancy.

**5. The Rent**

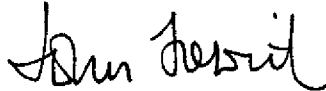
- 5.1 In coming to its decision the Committee had regard to the evidence supplied by the parties, and the members own general knowledge of market rents in the area of Ampthill and the surrounding district.
- 5.2 In the first instance The Committee determined what rent the landlord could reasonably expect to achieve in the open market if the Premises were let today in the condition that is considered usual for such an open market letting.  
The Committee considered that such a rent would be £625 per month.
- 5.3 However, the Premises are not in the condition considered usual for such a modern market letting. It is therefore necessary to adjust the hypothetical rent to allow for the differences between the condition considered usual for such a letting and the condition of the actual premises as observed by the Committee, and having regard to the provisions of s14(2) of the Act. The Committee considered that this required a deduction of £75 per month.
- 5.4 Summary

Open market modern rent	£625	per month
Deduction for condition	£ 75	
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<b>Market rent</b>	<b>£550</b>	<b>per month</b>

## 6. The Decision

- 6.1 The Committee decides that the market rent for the Premises shall be £550 per month .
- 6.2 The Committee considered the representations made by the tenant concerning her financial position. The Committee decided there were circumstances of special hardship within the provisions of s14(7) of the Act. Accordingly, the Committee decided that the new rent of £550 shall be payable with effect from 28 May 2004.

**Chairman**



(John Hewitt)

**Dated**

28 May 2004

### **Note:**

This document contains a summary of the reasons for the Committee's decision. If either party requires extended reasons to be given, they will be provided following a request to the Committee clerk, which must be made within 28 days on which this document is sent to the parties.