

Rent Assessment Committee: Summary reasons for decision.

Rent Act 1977

Address of Premises

9 Factory Yard
Wycombe End
Beaconsfield

The Committee members were

Mrs HC Bowers MRICS
Mr J Sims LL.M
Mr M Bhatti JP

1. Background

On 1st June 2004 the landlord applied to the rent officer for registration of a fair rent of £100 per week for the above property.

The rent payable at the time of the application was £70 per week.

The rent was previously registered on 20th August 2002 with effect from the same date at £70 per week following a determination by the rent officer.

On 15th July 2004 the rent officer registered a fair rent of £100 per week with effect from that date.

By a letter dated 20th July 2004 the tenant objected to the rent determined by the Rent Officer and the matter was referred to the Rent Assessment Committee.

2. Inspection

The Committee inspected the property on 1st October 2004 and found it to be in fair condition as described more particularly in the Rent Officer's survey sheet which had been copied to the parties.

3. Evidence

The Committee received written representations from the landlord and tenant and these were copied to the parties.

A hearing was held on 1st October 2004 in Beaconsfield at which oral representations were made by and on behalf of the tenant. The landlord was not present or represented.

4. The law

A summary of the relevant law is attached to this document.

5. Valuation

Thus in the first instance the Committee determined what rent the landlord could reasonably be expected to obtain for the property in the open market if it were let today in the condition that is considered usual for such an open market letting. It did this by having regard to the Committee's own general knowledge of market rent levels in the area of Beaconsfield. Having done so it concluded that such a likely market rent would be £750 per calendar month.

However, the actual property is not in the condition considered usual for a modern letting at a market rent. Therefore it was first necessary to adjust that hypothetical rent of £750 per calendar month to allow for the differences between the condition considered usual for such a letting and the condition of the actual property as observed by the Committee (disregarding the effect of any disrepair or other defect attributable to the tenant or any predecessor in title). The Committee considered that this required a deduction of £300 per calendar month.

The Committee found that there was substantial scarcity in the locality and therefore deducted a further sum of £57 from the market rent to reflect this element.

This leaves a net market rent for the subject property of £393 per calendar month, which equates to £90 per week

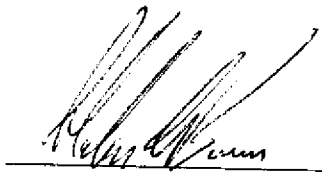
6. Decision

The fair rent initially determined by the Committee, for the purposes of section 70, was accordingly £90 per week.

The fair rent to be registered is not limited by the Rent Acts (Maximum Fair Rent) Order 1999 because by virtue of landlord's repairs and improvements since the previous registration the rent determined by the Committee exceeds by at least 15% the previous registered rent.

Accordingly the sum of £90 per week will be registered as the fair rent with effect from 1st October 2004 being the date of the Committee's decision.

Chairman



Dated

7/10/04

This document contains a summary of the reasons for the Rent Assessment Committee's decision. If either party requires extended reasons to be given, they will be provided following a request to the committee clerk at the Panel Office which must be made within 21 days from the date of issue of this document.