

**Rent Assessment Committee: Summary reasons for decision.**  
**Housing Act 1988**

**Address of Premises**

46b Northam Road  
Southampton  
Hants SO14 0PB

**The Committee members were**

M J Greenleaves Chairman  
D Lintott FRICS  
Mrs C Newman JP

**Background**

1. On 26<sup>th</sup> April 2006 the tenant of the above property referred to the Committee a notice of increase of rent served by the landlord under section 13 of the Housing Act 1988.
2. The landlord's notice, which proposed a rent of £71.75 per week with effect from 1<sup>st</sup> May 2006 is dated 31<sup>st</sup> March 2006
3. The Committee was required under Section 14 of the Housing Act 1988 to determine the rent at which it considered that the property might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy on the basis set out in that Section
4. The tenancy is a periodic tenancy which commenced on 21<sup>st</sup> January 2002. The current rent is £62.58 per week

**Inspection**

5. The Committee inspected the property on 13<sup>th</sup> June 2006 in the presence of Mr Emm the tenant and found it to be in good condition for its age and character.
6. The property is a first floor flat having a kitchen with lounge and a bedroom and bathroom. The white goods and kitchen cupboards and shelves are provided by the tenant. There is gas-fired central heating
7. The following services are provided for the tenant: cleaning and lighting of the access hallway and staircase and external window cleaning

**Evidence**

8. The committee received written representations from the landlord (largely concerning service charges) and these were copied to the tenant.
9. A hearing was held at Eastleigh on 13<sup>th</sup> June and 14<sup>th</sup> July 2006 at which oral representations were made on behalf of the landlord and by the tenant.
10. The landlord proposed a new rent of £66.81 per week including £5.49 for services (the latter figure being an increase of 38 pence from the previous year).
11. The increase proposed for services was acceptable to the tenant.

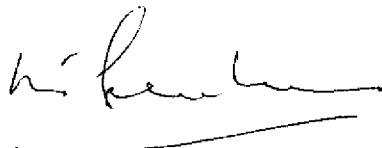
12. Mr Emms stated in relation to service items originally claimed by the Landlord that there was no cleaning of communal areas, no communal heating, no replacement furniture, no fire extinguisher, no refuse removal and he knew nothing of a transport service. There is an entryphone system
13. No representations were made by either party as to market rents in the locality with which this property might be compared.

#### **The law**

14. In accordance with the terms of section 14 Housing Act 1988 the Committee proceeded to determine the rent at which it considered that the subject property might reasonably be expected to be let on the open market by a willing landlord under an assured tenancy.
15. In so doing the Committee, as required by section 14(1), ignored the effect on the rental value of the property of any relevant tenant's improvements as defined in section 14(2) of that Act.
16. No evidence was provided by the parties as to other comparable rentals in the immediate locality. In coming to its decision the Committee had regard to the members' own general knowledge of market rent levels in the area and concluded that an appropriate market rent for the property would be £75 per week including services.

#### **The decision**

17. The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £75 per week inclusive of £5.49 in respect of services.
18. This rent will take effect from 1<sup>st</sup> May 2006 being the date specified by the landlord in the notice of increase. However, the Committee noted the Landlord's intention to charge a rent of only £66.81 per week including £5.49 for services.



Chairman

Dated 28th July 2006