

**Rent Assessment Committee: Summary reasons for decision.**  
Rent Act 1977

**Address of Premises**

25 Station Road  
Radlett  
Herts WD7 8JY

**The Committee members were**

Mrs TJ Gordon  
Miss M Krisko BSc (EST MAN)  
FRICS  
Mr B Tyers

**1. Background**

On 23 December 2003 the landlord applied to the rent officer for registration of a fair rent of £150.00 per week for the above property.

The rent was previously registered at £119.50 per week following a determination by a Rent Assessment Committee.

On 4 February 2004 the rent officer registered a fair rent of £130.00 per week with effect from 20 March 2004.

By a letter dated 24 February 2004 the landlord asked for the matter to be referred to a Rent Assessment Committee.

**2. Inspection**

The Committee inspected the property on 28 May 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. The following tenant's improvements had been made to the property. See Rent Officer's Survey Sheet.

**3. Evidence**

The committee had the benefit of written representations received from the landlord and copied to the parties. No written representations were received from the tenant.

Neither party requested a hearing at which oral representations could be made.

**4. The consideration**

When determining a fair rent the Committee, in accordance with the Rent Act 1977, s.70, had regard to all the circumstances including the age, location and state of repair of the property and disregarded the effect of any relevant tenant's improvements on the rental value of the property.

In *Spath Holme Ltd v Chairman of the Greater Manchester etc. Committee* (1995) 28 HLR 107 and *Curtis v London Rent Assessment Committee* [1999] QB 92 the Court of Appeal emphasised (a) that ordinarily a fair rent is the market rent for the property discounted for 'scarcity'. (i.e. that element of the rent, if any, that is attributable to there being a shortage of similar properties in the locality available for letting on similar terms) and (b) that assured tenancy (market) rents are usually appropriate market rent comparables.

In the present case the Committee had regard to the evidence supplied by the parties and/their own general knowledge of market rent levels in the area of Radlett and concluded that an appropriate market rent starting point would be £200.00 per week. After adjusting that figure to allow for the relevant differences between the comparable property and the subject property the Committee arrived at a market rent of £150.00 per week for the subject property.

The Committee found that there was substantial scarcity in the locality and therefore deducted a further sum of £23.00 from the market rent to reflect this element.

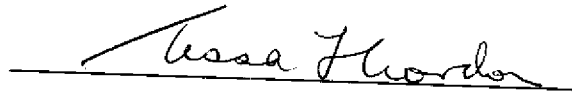
## 5. Decision

The fair rent determined by the Committee is accordingly £127.00 per week.

That rent will be registered with effect from 28 May 2004 being the date of the Committee's decision.

The fair rent determined by the Committee is below the capped limit of £132.50 per week provided for by the Rent Acts (Maximum Fair Rent) Order 1999 and accordingly the cap has no effect. Details are provided on the back of the decision form.

Signed



Dated

17 June 2004

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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 which must be made within 21 days from the date of issue of this document.