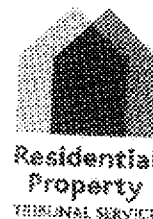


EASTERN RENT ASSESSMENT PANEL

Case number : CAM/33UC/F77/2004/0122

RENT ACT 1977



SUMMARY STATEMENT OF REASONS for the decision of the Committee which met on Thursday 2nd December 2004 to determine a Fair Rent in respect of :

Dudwick House, Buxton, Norwich, Norfolk NR10 5HX

Landlord	Mr T Briscoe
Tenant	Mr J Cryer
Rent at date of Application	£6,000.00 per annum
Rent proposed by Applicant	£12,000.00 per annum
Rent determined by Rent Officer	£12,500.00 per annum
Capped rent determined by Rent Officer	£7,942.00 per annum
Rent determined by Committee	£13,200.00 per annum
Capped rent determined by Committee	£8,014.50 per annum

Members of the Committee

Mr G K Sinclair (chairman), Mr J B Shrive FRICS FAAV (valuer) & Mr D Wilson (lay member)

The Premises

The Committee inspected the subject property, a large 3-storey mansion house built in 1938, surrounded by gardens extending to 3½ acres approx and some much older outbuildings. The house has 8 bedrooms and 4 bathrooms on the first floor (accessed by the main staircase) and 6 smaller rooms and 1 bathroom/WC on the second (accessed via a narrow stairway at one end). The property is as described in the Rent Register, the Rent Officer's layout plans, and the house and grounds appear as in the 1981 lease plan

Condition

Good decorative order internally. Contractors were in the course of repairing and painting external woodwork to windows while the inspection was in progress. Externally, no defects visible except rot to unpainted window ledges on 2nd floor (all others are painted). Electrical lighting circuit largely original, with recent additions by tenant in various rooms.

Tenant's improvements

Tenant has replaced original 5 & 15 amp (round pin) sockets with new 13 amp ring mains, improved lighting in many rooms, installed secondary glazing to 16 windows, Aga cooker, and electric storage heaters in many rooms to replace defective and inadequate oil-fired central heating system. Loft insulation applied to wing above main bedrooms. Burglar alarm system

Location

On western edge of village of Buxton, approached by long private driveway through estate parkland. Village has a shop, public houses, Post Office, garage/filling station, a 5 minute drive from Aylsham to northwest and Horstead/Coltishall to southeast, with easy access by direct road to Norwich, 11 miles to south

Scarcity

Nil, for a property of this type

Law applied

Rent Act 1977, s.70, as explained and clarified by the courts,¹ and the Rent Acts (Maximum Fair Rent) Order 1999

Open market rent

Taking into account the comparable evidence from landlord & Committee members' knowledge and experience : £24,000 per annum for property in good condition & modern facilities, where liability for insurance and external, structural & roadway repairs is included within rent

Calculations

OMV	£2,000.00 pcm
Less : central heating, hot water & electric wiring	-£400.00 pcm
Less : repairs, maintenance & insurance liability ...	-£400.00 pcm
Less : burglar alarm & secondary glazing	-£100.00 pcm
Net OMV	£1,100.00 pcm
No deduction for scarcity	£0.00 pcm
Net fair rent	£1,100.00 pcm
or	£13,200.00 pa
Capped rent	£8,014.50 pa

Rent capping

The Rent Acts (Maximum Fair Rent) Order 1999 applies and, for the reasons above, reduces the rent assessed by the Committee to a maximum of £8,014.50 per annum.

Decision

The fair rent to be registered, with effect from 2nd December 2004, is therefore £8,014.50 per annum

Signed 

Graham Sinclair - Chairman, for the Rent Assessment Committee

Note :

This is a summary of the Committee's reasons for its decision. Should you require more detailed reasons they can be supplied only if a written request for such reasons is received by the Panel Office within 21 days from receipt of this document.

¹ *Curtis v London Rent Assessment Panel & others* [1997] 4 All ER 842(CA); *Queensway Housing Association Ltd v Chiltern, Thames and Eastern Rent Assessment Committee* (1998) 31 HLR 945; *Forebury Estates Ltd v Chiltern, Thames and Eastern Rent Assessment Panel*, *The Times*, 11th July 2000; *Spath Holme Ltd v North Western Rent Assessment Committee & Bigio* (QBD Admin Ct, 12th July 2001)