

EASTERN RENT ASSESSMENT PANEL

STATEMENT OF REASONS FOR THE DECISION OF THE COMMITTEE WHICH MET ON 29th JULY 2005 TO DETERMINE A MARKET RENT IN RESPECT OF 110 MAPLE ROAD WEST, LUTON, BEDFORDSHIRE LU4 8BQ

File Reference No.: CAM/09UD/MNR/2005/0075

Landlord: Presentation Housing Association, 47-49 Durham Street,
Vauxhall, London SE11 5JA

Tenant: Mr MA Ajim

Existing Rent: £305.00 per calendar month

Rent Proposed by Landlords: £318.91 per calendar month

Rent Determined by Committee: £440.00 per calendar month

Members of the Committee: Mr JR Morris (Chairman)
Mr JR Humphrys FRICS
Mrs J De M Ambrose

Clerk to the Committee: Mr J Childe

The Tenancy:

The tenancy appears to be a contractual monthly periodic Assured tenancy. Section 11 of the Landlord and Tenant Act 1985 appears to apply in respect of the Landlord's obligations. Under the agreement the Landlord is responsible for the structure, installations and exterior repairs and decorations and the tenant is responsible for internal decorations and garden maintenance.

The Application:

The Landlord by a notice in the prescribed form dated 29th April 2005 proposed a new rent of £318.91 per calendar month to be effective from 3rd June 2005. On 1st June 2005 the Tenant applied to the Rent Assessment Panel.

The Property:

The Property is a two-storey Victorian mid terrace house of brick under a pitched tile roof. The front door opens directly into the living room. The Property comprises a living room, dining room and kitchen on the ground floor and two bedrooms and bathroom on the first floor. Space and water heating is by a gas fired central heating system. The Property has main electricity, gas, water and drainage. The Property is let unfurnished. Outside there are gardens to the rear to which there is a shared access from the front of the Property. There is no off road parking. The Property is in close to the town centre.

Condition:

The exterior of the property is in generally fair to good condition. However the replacement windows are in poor condition. The front living room window has distorted and is fixed in the closed position. The rear bedroom window also has been fixed, apparently by the Landlord's workmen, and appears to be very precarious. The front door does not appear secure. Internally the kitchen and bathroom are serviceable but dated. The drain from the kitchen seems to be prone to blockages and may require attention beyond day-to-day maintenance. The bathroom has suffered badly from condensation, there is no mechanical means of ventilation and it is difficult to see how the Landlord's remedy of plastering over the wall is adequate. The plaster on one of the walls of the rear bedroom has perished and the Landlord's spot repairs do not appear sufficient remedial action. There are no carpets, curtains or white goods provided. The outside light does not work. The trees forming a boundary hedge need to be cut back.

Law:

Sections 13 and 14 of the Housing Act 1988 apply.

Open Market Rent

A hearing was held attended by the Tenant although not the Landlord. Neither the Landlord nor the Tenant submitted any examples of comparable rents of similar properties to the subject property. Therefore the members of the Committee relied upon the knowledge and experience of its members and found that a similar property let on an Assured Shorthold tenancy in good condition with central heating, a modern kitchen and bathroom with double glazing together with carpets, curtains and white goods would be £520.00 per calendar month. However the Committee made a global deduction of £80.00 per calendar month to take account of the lack of double glazing and the condition of the windows, the dated kitchen and bathroom and lack of ventilation in the bathroom, the need to cut the boundary hedge, to further re-plastering, to repair the external light and the lack of carpets, curtains and white goods. It should be noted that this figure cannot be a simple arithmetical calculation and is not based specifically upon capital cost but is the Committee's estimate of the amount by which the rent would have to be reduced to attract a tenant.

The Tenant stated he was aggrieved that the Landlord had made no attempt to offer alternative accommodation to enable his dependant mother to live with him and that he had been led to believe that he would be eligible under the right to buy provisions but after having made arrangements was then told several months later that the house could not be purchased under the scheme. The Committee however are not able to take account of these matters as they relate to the Tenant's personal circumstances.

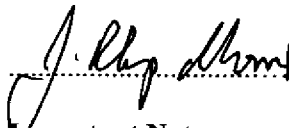
Committee's Calculations:

Open Market Rent:	£520.00 per calendar month
Less global deduction	<u>£80.00</u>
	£440.00 per calendar month

Determination

The Committee determined that a market rent for the subject property is **£440.00 per calendar month**

The Committee determined that in accordance with section 14 (1)(a) and (b) Housing Act 1988 the rent should commence from the beginning of the period of the Tenancy and having taken account of section 14 (7) Housing Act 1988, determined that the increased rent should take effect from the 3rd June 2005.

JR Morris, Chairman

Important Note:

This is a summary of the Committee's reasons for its decision. Should you require more detailed reasons, they can be supplied but only if a written request for such reasons is received by the Panel Office within 21 days form the receipt of this document. The papers will then be returned to the Chair for such detailed reasons to be prepared.

Caution: The Committee inspected the subject property for the purposes of reaching this decision. The inspection was not a structural survey and any comments about the condition of the property in this statement must not be relied upon as a guide to the structural or other condition of the property.