

Rent Assessment Committee: Summary reasons for decision Housing Act 1988

Address of Premises

61 Cloudesley Road
London
N1 0EL

The Committee members were

Mrs S O'Sullivan
Mrs S F Redmond BSc (Econ) MRICS
Ms S Wilby

1. Background

On 21 July 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.

The landlord's notice, which proposed a rent of £425 with effect from 4 August 2006 is dated.

The tenancy is a statutory periodic tenancy by succession which arose on the death of the former tenant. The rent payable is £143.50.

2. Inspection

The Committee inspected the property on 8 December 2006 and found it to be in fair condition externally.

The property had only one operable gas fire dated and basic kitchen and bathroom, evidence of damp, particularly to kitchen and areas of damaged plaster.

3. Evidence

A hearing was held at 9.30am on 8 December 2006 at 10 Alfred Place, London WC1 at which oral representations were made by/on behalf of the landlord and tenant.

4. The law

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.

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.

In coming to its decision the Committee had regard to the evidence supplied by the parties and the members' own general knowledge of market rent levels in the area of Islington and concluded that an appropriate market rent for the property would be £425 per week in refurbished condition appropriate for open market letting. However, the property is not in the condition considered usual for a letting of market rent and the Committee therefore made a deduction of £150 per week to reflect this.

5. The decision

The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £275 per week.

This rent will take effect from 8 December 2006 the committee being satisfied that undue hardship would otherwise be caused to the tenant.

Chairman: S O'Sullivan

Dated: 8 December 2006

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 written request to the committee clerk which must be made within 28 days from the date of issue of this document.

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