

Rent Assessment Committee: Summary reasons for decision.

Housing Act 1988

Address of Premises

227 Chertsey Road
Addlestone
Surrey
KT15 2EN

The Committee members were

Mr I Mohabir LLB (Hons)
Mr P D Turner-Powell FRICS
Miss J Dalal

1. Background

On 13 December 2004 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 £166 per week with effect from 3 January 2005, is dated 1 December 2004

The tenancy is a statutory periodic tenancy by succession, which arose on the death of the former tenant. The rent payable is £157 per week.

2. The Decision

The Committee declined jurisdiction in this matter as the landlord's section 13(2) Housing Act 1988 Notice (as amended) fails to comply with the requirement that the proposed new rent must take effect at the beginning of a new period of the tenancy. The tenant has a statutory tenancy by succession, which arose on the death of his mother, the former tenant. She died on 3 May 2002, a Friday. The tenant has a weekly periodic tenancy and pays his rent each Friday by way of a standing order at his bank. The landlord's section 13(2) Notice proposes that the starting date for the new rent is 3 January 2005, a Monday. It, therefore, does not comply with all of the requirements of section 13(2) and is invalid. Accordingly, the Committee has no

jurisdiction in this matter. Nevertheless, the Committee is prepared to indicate that had the landlord's notice been valid, it would have concluded that the proposed rental increase to £166 per week would have been reasonable.

Chairman: I Mohabir

Dated: 20 January 2005

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.