

Rent Assessment Committee: Summary reasons for decision.

Housing Act 1988

Address of Premises

Ground Floor Flat,
1 Lannoweth Terrace,
Penzance TR18 3LN

The Committee members were

R Batho MA BSc LLB FRICS FCI Arb
A J Lumby BSc FRICS
P G Groves

1. Background

On 9th August 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 £125.00 per week with effect from 22nd August 2004 is dated 19th July 2004.

The tenancy is a periodic tenancy which commenced on 24th February 1996. The current rent is £56.16 per week.

2. Inspection

The Committee inspected the property on 22nd September 2004 and found it to be in only fair condition.

The tenant had carried out some limited repair work and some items of improvement.

3. Evidence

The committee received written representations from the landlord and tenant and these were copied to the parties.

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

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 West Cornwall and concluded that an appropriate market rent for the property would be £400.00 per month.

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 £400.00 per month this will be payable weekly in arrears which is the current method of payment, variable only by agreement between the parties.

This rent will take effect from 22nd August 2004 being the date specified by the landlord in the notice of increase.

Chairman 

R Batho MA BSc LLB FRICS FCI Arb

Dated 22nd September 2004

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.