

**Rent Assessment Committee: Reasons for decision.****Housing Act 1988****Address of Premises**

16 Wallis Avenue  
Eastbourne  
East Sussex  
BN23 6LR

**The Committee members were**

Mr. R. Norman (Chairman)  
Mr. A.O. Mackay FRICS

**1. Background**

On the 16th January 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 £135 per week with effect from 13th February 2006 is dated 9th January 2006

The tenancy is a statutory periodic tenancy by succession which arose on the death of the former tenant. The rent payable is £120 per week.

**2. Inspection**

The Committee inspected the property on 15th March 2006 and found it to be in reasonable condition. The property is an end of terrace house with, on the ground floor a sitting room, a kitchen and a bathroom with wc. On the first floor there are three bedrooms. Outside there are gardens to the front and rear. There is no garage or off road parking space.

The landlord has installed double glazing, provided a heater in the kitchen and a new base unit under the kitchen sink. We noted the repairs which the landlord informed us had been carried out.

There is no central heating, the kitchen and bathroom are dated, no carpets, curtains or white goods are provided by the landlord and the tenant has the obligation to decorate the interior of the property.

### **3. Evidence**

The committee received written representations from the landlord and the 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.

The Committee had regard to the representations made by the parties but neither party had supplied any evidence of rents obtained for comparable properties in the area and in coming to its decision the Committee had to rely on the members' own general knowledge of market rent levels in Eastbourne and the surrounding area.

In the first instance the Committee determined what rent the landlord could reasonably be expected to obtain for the property in the open market if it were let today in the condition that is considered usual for such an open market letting and concluded that such a likely market rent would be £150 per week.

However, the actual property is not in the condition considered usual for a modern letting at a market rent. Therefore it was first necessary to adjust that hypothetical rent of £150 per week to allow for the differences between the condition considered usual for such a letting and the condition of the actual property as observed by the Committee.

The Committee considered that this required a deduction of £25 per week calculated as follows: £10 per week to take account of the lack of central heating, £6 per week to take account of the lack of carpets, curtains and white goods, £7 per week to take account of the dated kitchen and bathroom and £2 per week to take account of the tenant's liability in respect of internal decoration.

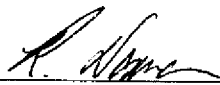
The Committee concluded that an appropriate market rent for the property would be £125 per week.

## **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 £125 per week.

This rent will take effect from 13th February 2006 being the date specified by the landlord in the notice of increase.

Chairman



Dated

15.03.06