

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

Flat B  
54 Windsor Road  
Forest Gate  
London E7 0QY

**The Committee members were**

Mr T G Ashmore  
Mr R A Potter FRICS  
Mr M A Mathews DMS FRICS MIMgt

**1. Background**

On 16 October 2002 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 £480 per month with effect from 1 November 2002 is dated 1 October 2002.

The tenancy is a periodic tenancy which commenced on 10 January 1995. The current rent is £40.00 per week.

**2. Inspection**

The Committee inspected the property on 6 December 2002 and found it to be in good condition.

The property was unmodernised.

**3. Evidence**

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

A hearing was held at 10 Alfred Place on 6 December 2002 at which oral representations were made by/on behalf of the landlord. The tenant was not present or represented.

#### **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 Forest Gate and concluded that an appropriate market rent for the property would be £100.00 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 £100.00 per week.

This rent will take effect from 1 November 2002 being the date specified by the landlord in the notice of increase.

It should be noted that the tenancy contains a variable service charge within the meaning of section 18 of the Landlord and Tenant Act 1985. It follows that in accordance with Housing Act 1988, section 14(4) the rent determined by the Committee for the purposes of this application is exclusive of that service charge which will therefore be recoverable in addition to the rent determined.

Chairman     T G Ashmore

Dated             6 December 2002

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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 21 days from the date of issue of this document.