

EASTERN RENT ASSESSMENT PANEL

Case number : CAM/33UH/F77/2006/0005

RENT ACT 1977

SUMMARY STATEMENT OF REASONS for the decision of the Committee which met on Thursday 23rd February 2006 to determine a Fair Rent in respect of :

I Leys Cottages, Dark Lane, Scole, Diss, Norfolk IP21 4EY

Landlord	Carbury Investments Ltd
Tenant	Mr S G Orford
Rent proposed by Applicant	£120.00 per week
Rent determined by Rent Officer	£83.00 per week
Rent determined by the Committee	£83.00 per week

Members of the Committee	Mr G K Sinclair (chairman), Mr G J Dinwiddy FRICS (valuer) & Mr R S Rehahn (lay member)
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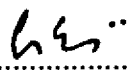
The Premises	The Committee inspected the subject property, a generously proportioned but poorly heated three bedroom detached house being one of four agricultural workers' cottages built in an isolated rural setting in about 1970. Accommodation and facilities are as described in the Rent Register. Subject to agricultural occupancy restriction
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Condition	The property shows cracking and is in need of maintenance, repair and re-decoration (external and internal). All windows replaced in about 1990 with PVCu single glazed units with poor seals. Original wiring and fuse box not up to current standards. Private water supply from farm and septic tank. Damp in ground floor WC. The tenant has provided white goods, carpets & curtains.
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Tenants' improvements	None
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Location	Rural setting, but high voltage electricity pylons directly in front, and on an unmade and poorly maintained lane about 100 yards from public highway by agricultural drying sheds and former agricultural building converted to small business centre, all generating traffic on a narrow by-road leading towards main A1066 road 2 miles from centre of Diss and 1.5 miles from Diss mainline railway station. Shops, schools and services in Diss. Norwich 20 minutes away by train, 22 miles by road
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Scarcity	nil
Law applied	Rent Act 1977, s.70, as explained and clarified by the courts, ¹ and the Rent Acts (Maximum Fair Rent) Order 1999
Open market rent	Taking into account evidence & Committee members' knowledge & experience, decided at £600.00 per calendar month for property in good condition & modern facilities, carpets, curtains, etc.
Calculations	OMV (net of service charges) £600.00 pcm Less : Location : track/access/pylons/grain dryer -£30.00 pcm Condition : age/obsolescence/single glazing/lack of maintenance & repair -£35.00 pcm Basic kitchen & bathroom -£25.00 pcm Inadequate heating/insulation -£45.00 pcm Carpets & curtains <u>-£30.00 pcm</u> Net OMV £435.00 pcm Less : Agric occupancy restriction @ 20% -£87.00 pcm Add back for services : water/sewage <u>£17.00 pcm</u> Net fair rent £365.00 pcm or £84.23 pwk
Rent capping	The Rent Acts (Maximum Fair Rent) Order 1999 applies to this property but the net rent assessed by the Committee is below the capped rent level of £88.50 per week
Decision	As the net figure determined by the Committee is so close to that of the Rent Officer, the appeal is dismissed and the fair rent to be registered with effect from 23 rd February 2006 is therefore £83.00 per week

Signed 

Graham Sinclair - Chairman, for the Rent Assessment Committee

Note :

This is a summary of the Committee's reasons for its decision. Should you require more detailed reasons they can be supplied only if a written request for such reasons is received by the Panel Office within 21 days from receipt of this document.

¹ *Curtis v London Rent Assessment Panel & others* [1997] 4 All ER 842(CA); *Queensway Housing Association Ltd v Chiltern, Thames and Eastern Rent Assessment Committee* (1998) 31 HLR 945; *Forebury Estates Ltd v Chiltern, Thames and Eastern Rent Assessment Panel*, *The Times*, 11th July 2000; *Spath Holme Ltd v North Western Rent Assessment Committee & Bigio* (QBD Admin Ct, 12th July 2001)