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LONDON RENT ASSESSMENT PANEL

File Ref No.

LON/00BD/MNR/04/263/01

**Notice of the Rent Assessment Committee Decision and
Register of Rents under Assured Periodic Tenancies
(Section 14 Determination)**

Housing Act 1988 Section 14

Address of Premises

32 Garden Court
Lichfield Road
Richmond
Surrey
TW9 3JS

The Committee members were

Mrs A Landau JP LLB
Mr D D Banfield FRICS
Mrs E A V Lewis

**Landlord
Address**

Liverpool Victoria Friendly Society Ltd
County Gates, Bournemouth, BH1 2NF

Tenant

Ms Victoria de Wolf Thomas

1. The rent is: £ 2535 per quarter (excluding water rates and council tax)

2. The date the decision takes effect is: 25 March 2004

*3. The amount included for services is/is negligible/not applicable £ per

*4. Service charges are variable and are not included

5. Date assured tenancy commenced 1995

6. Length of the term or rental period Quarterly

7. Allocation of liability for repairs Section 11

8. Furniture provided by landlord or superior landlord

None

9. Description of premises

3rd floor flat in a 4 storey purpose built block circa 1950, comprising 4 rooms, kitchen and bathroom/wc.

Chairman

A Landau

Date of Decision

21 May 2004

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LMR14/2001

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

32 Garden Court
Licfield Road
Richmond, Surrey
TW9 3JS

The Committee members were

Mrs A Landau JP LLB
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1. Background

On 22 March 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 £2750 per quarter with effect from 25 March 2004 is dated 17 December 2003.

The tenancy is a statutory periodic tenancy by succession which arose on the death of the former tenant. The rent payable is £1625 per quarter.

2. Inspection

The Committee inspected the property on 21 May 2004 and found it to be in fair condition. The subject flat is totally unmodernised with the exception of replacement UPVC windows.

The following services are provided for the tenant.
Cleaning, lighting and gardening of common parts.

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.

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 Kew and concluded that an appropriate market rent for the property would be £2535 per quarter.

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 £2535 per quarter.

This rent will take effect from 25 March 2004 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: A Landau

Dated: 21 May 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 written request to the committee clerk which must be made within 28 days from the date of issue of this document.

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