

Rent Assessment Committee: Summary reasons for decision.

Housing Act 1988

Address of Premises

Ground Floor Flat
10 Bernard Road
Worthing
West Sussex
BN11 5EL

The Committee members were

Mr J B Tarling MCMI (Chairman)
Mr J N Cleverton FRICS
Ms J Morris

1. Background

On 12 January 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 £395.18 per month with effect from 10 February 2004, increasing to £400.00 per month from 01 March 2004 is dated 16 December 2003.

The tenancy is a statutory periodic tenancy by succession which arose on the death of the former tenant. The rent payable is £386.00 per month.

2. Inspection

The Committee inspected the property on 26 February 2004 and found it to be in ~~good~~/fair/~~poor~~ condition.

The following qualifying tenant's improvements had been made to the property.

~~The Committee was unable to gain access at the appointed time in order to inspect the property internally and therefore made an external inspection only.~~

3. Evidence

~~A hearing was held at 10:30 am on 26 February 2004 in Worthing Town Hall at which oral representation was made by~~

neither party

~~The landlord was not present or represented.~~

✓ A hearing was arranged for 10:30 am on 26 February 2004 in Worthing Town Hall but neither party attended.

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 Worthing and concluded that an appropriate market rent for the property would be £400.....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..... per month.

~~This rent will take effect from 26th February 2004 being the date specified by the landlord in the notice of increase.~~

✓ This rent will take effect from 26th February 2004 the committee being satisfied that undue hardship would otherwise be caused to the tenant.

Chairman signed
 J. B. TALLIN

Dated 26 February 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.