

EASTERN RENT ASSESSMENT PANEL

Case number : CAM/33UH/F77/2005/0073

RENT ACT 1977



SUMMARY STATEMENT OF REASONS for the decision of the Committee which met on Thursday 18th August 2005 to determine a Fair Rent in respect of :

Hall Farm, Big Back Lane, Chedgrave, Norwich, Norfolk NR14 6BH

Landlord RD Hutton & Partners
Tenant Mr J Brown
Rent proposed by Applicant £700.00 per cal mth
Rent determined by Rent Officer £117.00 per week / £507.00 per cal mth
Rent determined by Committee £600.00 per cal mth

Members of the Committee Mr G K Sinclair (chairman), Mr J B Shrive FRICS FAAV (valuer) & Mr R S Rehahn (lay member)


The Premises The Committee inspected the subject property, a 4-bedroom detached former farmhouse built in 1875, of brick construction under a tiled roof. A recent extension at 1st floor level has created a small 4th bedroom. The property has a single bathroom/WC on 1st floor. Situate in a large irregular plot of indeterminate size (to rear) and facing the former farm buildings and main entrance (now in separate ownership), a new driveway approx 200 metres long has been created within the retained land. Accommodation and facilities are broadly as described in the Rent Register and the Rent Officer's layout plan.

Condition Good decorative order internally but some recent leakage from valleys (now remedied) caused minor damp to walls in two rooms. All but 3 windows are double glazed sealed units within wooden frames. Oil-fired central heating. Massive central brick chimney stack but no obvious structural problems.

Tenants' improvements Tenant has provided carpets and curtains throughout, and with creation of new access has laid new lawns over former drive and gravel parking area, planted hedges and landscaped. Other work carried out by tenant but at expense of landlord, his then employer

Location Just outside village of Chedgrave, close to junction with A146 Norwich–Lowestoft road. Limited facilities in village, but others in Loddon and all major facilities at Norwich, within 15 minutes drive

Scarcity	Assessed at 10%
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 the Committee members' own knowledge and experience : £850 pcm for similar property in good condition & with modern facilities
Calculations	OMV £850.00 pcm Less : Carpets & curtains £50.00 pcm Tenant's improvements (garden, etc) £30.00 pcm Lack of ground floor WC/cloaks in property of such a size and character <u>£100.00 pcm</u> Net OMV £670.00 pcm Less 10% scarcity <u>£67.00 pcm</u> Net fair rent (rounded) £600.00 pcm
Rent capping	The provisions of the Rent Acts (Maximum Fair Rent) Order 1999 do not affect the rent determined as this is a first registration
Decision	The appeal against the decision of the Rent Officer is allowed and the fair rent to be registered is £600 per calendar month with effect from 1 st October 2005.

Signed 

Graham Sinclair - Chairman, for the Rent Assessment Committee

Note :

1. The rent sought was expressed as a monthly figure and shall be registered as such.
2. By a written compromise agreement dated 15th October 2004 the landlord/former employer and tenant/former farm manager agreed that the premises would be occupied rent-free until 30th September 2005. The registered rent will therefore take effect from 1st October 2005 and not the earlier date recorded by the Rent Officer
3. 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)