

**Eastern Rent Assessment Panel**

Great Eastern House Tenison Road Cambridge CB1 2TR  
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**Residential  
Property**  
TRIBUNAL SERVICE

**SUMMARY STATEMENT OF REASONS**  
**for the decision of the Committee which met on 17 November 2006**  
**to determine a FAIR RENT in respect of Great Penny's Farmhouse,**  
**High Wych, Sawbridgeworth, Herts CM21 0LA**

**Ref. No.** CAM/26UD/F77/2006/0088

**Landlord:** Ropemaker Gilston Ltd (agents Savills)  
**Tenant:** Mr W D Osbourne

<b>Rent at date of Application:</b>	£361.50 per calendar month (£459.00 p.c.m. before capping)
<b>Rent proposed by Applicant:</b>	£395.00 p.c.m.
<b>Rent determined by Rent Officer:</b>	£401.00 p.c.m. (£480.00 before capping)
<b>Rent determined by Committee:</b>	£404.50 p.c.m. (£467.50 before capping)

**MEMBERS OF THE COMMITTEE:** **Mr G M Jones - Chairman**  
**Mr J R Humphrys FRICS**  
**Mr A J Jackson JP**

<b>THE PROPERTY</b>	The Committee inspected the property in the presence of the tenant and found it to be generally as described in the Rent Register. It is a 3-bedroom detached house with UPVC double glazing and partial central heating. The bathroom suite is dated but sound. Foul water drainage is to a septic tank emptied at the tenant's expense. The property was let to the tenant entirely unfurnished in the 1960's.
<b>CONDITION</b>	The property appeared to be in fair condition except for some cracking in ceilings and a nasty structural crack in one external wall.
<b>TENANT'S IMPROVEMENTS</b>	Principal features of tenant's works are partial central heating; fitting out of kitchen (replacing very basic facilities); all floor coverings.
<b>LOCATION</b>	Rural location in attractive countryside within easy reach of mainline railway station and Stansted Airport.

**SCARCITY**

In the experience of the Committee, scarcity in the wider locality (the M11 corridor) for this type of property justifies a deduction of 15%.

**THE LAW APPLIED**

In short, the task of the Committee is to determine a 'fair rent' within the meaning of section 70(1) of the Rent Act 1977, taking into account all relevant circumstances (other than personal circumstances). A fair rent is a market rent adjusted for scarcity and disregards under section 70(3) – in particular, tenants' improvements. A discount will be appropriate under section 70(2) where there is a significant scarcity of similar dwellings available for letting in the locality. Rent capping may apply (see below). The rent will be exempt from capping if the landlord carries out repairs or improvements to the property as a result of which the uncapped fair rent determined for the property is at least 15% more than the existing registered rent. Full Reasons (if requested) will set out the relevant legal principles in detail.

**OPEN MARKET RENT**

Based on the evidence and the Committee's own knowledge and experience, the open market rent for the property, if let on assured shorthold terms, fully modernised and in good order throughout, with central heating, double-glazing and carpets, curtains and white goods, would be £850.00 per cal. month.

**COMMITTEE'S  
CALCULATIONS**

Open market rent	£ 850.00 p.c.m.
Less global deduction for condition, lack of modern facilities and for tenant's improvements	<u>£300.00</u>
Adjusted open market rent for this property	
Reduction for scarcity 15%	£550.00 p.c.m.
	<u>£ 82.50</u>
	£467.50 p.c.m.

**THE RENT ACTS  
(MAXIMUM FAIR  
RENT) ORDER 1999**

The maximum fair rent calculated in accordance with the formula set out in the Order is £404.50 p.c.m. The rent is not exempt from capping.

**DECISION**

As the maximum fair rent is less than the Committee's assessment, the fair rent is the capped figure of £404.50 p.c.m.

**Geraint M Jones MA LLM (Cantab)**  
**Chairman**



**Note:** This is a summary of the Committee's reasons for its decision. Should you require more detailed reasons, they can be supplied but only if a written request is received by the Panel Office within 21 days from receipt of this document. The papers will then be returned to the Chair for such detailed reasons to be prepared.