

Rent Assessment Committee: Summary reasons for decision.

Housing Act 1988

Address of Premises

14 St Merryn Holiday
Village St Merryn
Padstow Cornwall
PL28 8QA

The Committee members were

Mr D Sproull LLB (Chair)
Mr A J Lumby BSc FRICS
Mr M T Creek MBE

1. Background

On 6th October 2003 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 £95.00 per week with effect from 31st October 2003 is dated 30th September 2003

The tenancy commenced on 2nd October 1998 for a term of 6 months. The tenant remains in occupation as a statutory periodic tenant. The current rent is £65.00 per week.

2. Inspection

The Committee inspected the property on 25th November 2003 and found it to be in poor condition. Many of the windows were unsatisfactory and cills rotten. There was defective flooring in the hall. There had been problems with the electricity supply and the immersion heater and there was evidence of damp. The toilet was cracked. The bungalow is in the centre of a fairly large holiday village and is some distance from local amenities. It is hemmed in on all sides by other bungalows with what would appear to be communal gardens and with no enclosed areas belonging to each individual bungalow. The tenants had installed some wood panelling in the bathroom and had replaced two external doors.

3. Evidence

The Committee received written representations from the landlord and tenant and these were copied to both parties. Neither party requested a hearing at which oral representations could be made.

No comparable rental figures of any sort were put before the Committee by either party.

The Committee found as a fact that the room described as a box room was not an acceptable double bedroom but was big enough to accommodate a single bed.

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 doing so 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.

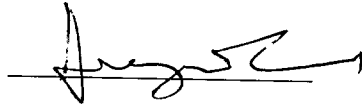
In coming to its decision the Committee had regard just to the members' own general knowledge of market rent levels in the area of St Merryn and Cornwall and concluded that an appropriate market rent for the property would be £80.00 per week

5. Decision

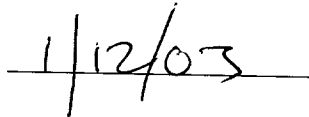
The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £80.00 per week.

The rent will take effect from 31st October 2003 being the date specified by the landlord in the notice of increase.

Chairman



Dated



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 at the Panel Office which must be made within 21 days from the date of issue of this document