

Rent Assessment Committee: Summary reasons for decision.

Housing Act 1988

Address of Premises

14 Bassett Road
Maybury
Woking
Surrey
GU22 8ET

The Committee members were

Mrs F J Silverman LLM
Mr P D Turner-Powell FRICS
Miss J Dalal

1. Background

On 31 July 2003 the tenant of the above property applied to the Committee for the determination of rent under section 22 (1) of the Housing Act 1988.

The tenancy commenced on 31 May 2003 for a term of 1 year. The current rent is £900 per calendar month.

2. Inspection

The Committee inspected the property on 10 October 2003 and found it to be in fair condition.

The garden needs landscaping and there was considerable disrepair internally.

3. Evidence

The committee received written representations from the landlord and 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 22 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 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 Woking and Guildford and concluded that an appropriate market rent for the property would be £850 per month.

We deducted from this the sum of £220 per month to take account of the state of the garden and disrepair mentioned above.

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 £630 per calendar month.

This rent will take effect from 10 October 2003.

Chairman Donna |

Dated 29 October 2011

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.

14 Bassett Rd

THE SOUTHERN AREA RENT ASSESSMENT COMMITTEE

Case no: CHI/43UM/MDR/2003/0007

DECISION

LANDLORD: Mr & Mrs Zareen

TENANT: Mr & Mrs Winstanley

THE PROPERTY: 14 Bassett Road Maybury Woking Surrey GU22 8ET

THE PANEL: Mrs F J SILVERMAN LLM (Chairman)

Mr P D Turner-Powell FRICS (Valuer)

Miss J Dalal (Member)

HEARING DATE: No hearing was requested. Consideration took place on 10 October 2003

INSPECTION DATE 10 October 2003

PRESENT AT INSPECTION: Mrs F J Silverman Mr Sims, Mr Turner -Powell, Miss Dalal , Mr & Mrs Winstanley(tenants) .

REASONS

1 THE ISSUES

The tenants lodged an application with the Committee on 31 July 2003 to assess the rent of the property . The tenancy agreement commenced on 31 May 2003 for a fixed term of one year.

2 THE PROPERTY

The property comprises a brick and tile semi-detached house situated towards the end of a cul-de-sac in a suburban area of Woking. The house is approached up a series of steps and its front garden and retaining wall are in poor condition owing to unfinished building works. Similarly the rear garden , which has recently been cut out from a steep bank at the rear boundary of the property is little more than a mud patch . A retaining

wall is unfinished and in its present state the garden is unusable and potentially dangerous for children. Inside the house comprises two downstairs rooms with kitchen and rear porch, three bedrooms (one very small) and a bathroom. The central heating system was not working at the time of the inspection. There was also a large amount of interior damage to doors, slashed carpets and a broken window where, we were informed, the landlords had forced an entry after illegally evicting the tenants. There is a pending court action in the County Court relating to the dispute between the parties.

3 INSPECTION

. The physical extent of the property is as described in paragraph 2 above. The property was probably built in the 1960's and appears to be part of a former council estate. There is no private parking at the property but on street parking is available. Some interior decoration had been done by the tenants. The bathroom fittings were modern and in reasonable condition. Similarly the kitchen was fitted with adequate modern cupboards . A fridge/freezer, gas cooker , washing machine and a single bed had been provided by the landlord. The landlord is responsible for exterior repairs and decoration and interior matters relating to space and water heating and sanitation under statutory obligations. No service charge is payable by the tenant. The property is generally in a fair condition for its age although there is internal damage as noted above, and the front and reasonable gardens need to be landscaped. Local shopping , schools etc are available but the nearest railway station, hospital and good shopping facilities are somewhat further away.. Public transport by bus is available but access to use of a car is useful in this area.

4 THE EVIDENCE

The Committee received written representations from both parties . No hearing was requested and the Committee considered the parties' representations. A number of comparator properties were put before the Committee which were considered, in addition in assessing the rent the Committee used its own knowledge and judgement of the property rental values in the Guildford and Woking areas of Surrey. The present rent of the property is £900 per month from which an allowance of £300 a month had been deducted to take account of the condition of the property.

5 THE LAW

Section 22 Housing Act 1988 applies to the tenancy which is the subject of this application, it being fixed term tenancy granted for a one year period in May 2003 and containing no provisions for rent review. Under that section the rent assessment committee shall determine the rent at which the committee consider that the dwelling house concerned might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy. The tenants referred the matter to the committee by an application which was received on 31 July 2003 .

6 FINDINGS OF FACT

The Committee finds as follows:

- 6.1 A number of properties were offered as comparables. It was unclear whether these had been submitted by the landlord or the tenants. Few of these were comparable in terms of location or accommodation. However a letter from Woking Council to the landlord related to an agreed letting of 15 Bassett Road in May 2003 at the rent of £850 per calendar month. This is a comparable property to the subject property.
- 6.2 The committee , relying on the comparable cited above and its own knowledge and experience estimated that a comparable property in this area in good condition both externally and inside would command an open market rent of around £850 per calendar month.
- 6.3 In the present case deductions would need to be made from that figure to account for the repairs which would need to be made to the property and to update the kitchen and bathroom, to provide adequate heating and repair or replace the windows and to complete the landscaping of the exterior grounds. We assessed these deductions together at a cost of £220 per month. We took in to consideration the fact that some white goods and a bed are provided in the tenancy. In our experience the provision of furniture adds little to the overall rental value of the property and we have not therefore attributed a separate sum in the rent to account for this.

6.4 This gives total deductions of £220 per month from the open market rent cited above, leaving a net rent of £630 per calendar month . The tenants are additionally responsible for council tax , and water rates .

7 CALCULATION

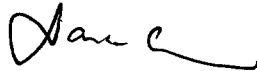
Having found a direct comparator with the subject property , and relying on their own knowledge and experience the Committee finds that the open market rent for the subject property in its present condition would be £630 per calendar month.

8 DECISION

The decision of the Committee is that the rent for the property is £630.00 per calendar month exclusive of council tax and water rates and payable with effect from 10

October 2003.

Frances Silverman



Chairman