

**Eastern Rent Assessment Panel**  
Great Eastern House Tenison Road Cambridge CB1 2TR  
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## **REASONS FOR DECISION OF RENT ASSESSMENT COMMITTEE**

*Reasons requested by Landlord/Tenant under section 10 of the Tribunals and Enquiries Act 1992 and Regulation 10a of the Rent Assessment Committees (England and Wales) Regulations 1971.*

### **FIRST DRAFT**

**PROPERTY:** 6 Landguard Road, Felixstowe, Suffolk IP11 2 EW  
**Ref. No.** CAM/42UG/MNR/2006/0056

**Date of Decision:** 17 November 2006

**Landlord:** Thompsons Property Management (as agents for undisclosed landlord)  
**Tenant:** Mr J Plummer

**Rent at date of Landlord's Notice:** £255.00 per calendar month  
**Rent proposed by Landlord:** £350.00 p.c.m.  
**Rent determined by Committee:** £325.00 p.c.m.  
**Date new rent takes effect:** 18 November 2006

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

### **1. THE PREMISES**

- 1.1 This property is a modest terraced house dating from 1914 located at the back of the busy dockyard area of Felixstowe. The terrace, which fronts onto a poorly surfaced private roadway is poorly maintained and run down. At the end of the terrace is the entrance to premises of Anglian Water and, immediately beyond that entrance, a mobile home park. Beyond the mobile home park (which appears to be a holiday venue) is the nature reserve at Landguard Point. Nevertheless, the location is very unattractive.
- 1.2 Upon inspection the structure of the building was found to be generally in fair structural condition. The roof was in good condition. However, the softwood window frames were rotting in places and were badly in need of decoration.

### **2. THE TENANCY**

- 2.1 The property was originally let to the tenant's father in 1977. The Applicant is a second statutory successor, following his widowed mother. The Applicant's tenancy commenced on 18 February 1999. There has been no rent increase for at least three years.

- 2.2 The Landlord & Tenant Act 1985 s.11 applies, so that the landlord is responsible for the exterior of the building and for the provision and maintenance of the installations for the supply of services i.e. water, drainage (including foul water drainage), electricity and gas, space heating and water heating. The tenant is responsible for internal decorations.

**3. THE APPEAL**

- 3.1 By letter dated 19 September 2006 the landlord proposed a rent increase from £255.00 p.c.m. to £350.00 p.c.m. The tenant duly referred the matter to the Rent Assessment Committee.

**4. THE PARTIES' RESPECTIVE CASES**

- 4.1 See written representations on file. Neither party attended the hearing or offered evidence of open market rental values for this type of property in the area.

**5. THE LAW**

**Section 14 applications**

- 5.1 In general terms, the task of the Committee under the provisions of section 14 of the Housing Act 1988 is to determine the rent at which the dwelling-house concerned might reasonably be expected to be let in the open market by a willing landlord. It follows that the personal circumstances of the parties are irrelevant and the Committee cannot take them into account.
- 5.2 The Committee must disregard any effect on the rent attributable to the granting of a tenancy to a sitting tenant, any increase in value attributable to "relevant" tenants' improvements and any reduction in value attributable to a failure by the tenant to comply with any terms of the tenancy. Full Reasons (if requested) will set out the relevant legal principles in detail.

**6. THE DECISION**

- 6.1 The Committee, relying upon the knowledge and experience of its members, concludes that the open market rental value of a property of this type in Felixstowe, if let on the open market on assured shorthold terms, fully modernised and in good condition throughout, with carpets curtains and white goods, would generally be £550.00 p.c.m. The Committee deducts 10% for the poor location to reach a figure of £500.00 p.c.m. for such a property in this location. From that reduced figure the Committee then makes a further global deduction of 35% for the lack of central heating, carpets, curtains and white goods; largely unmodernised condition (particularly as regards the kitchen and bathroom); and disrepair to reach an open market rent of £325.00 p.c.m. for the property as let.



**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.