

EASTERN RENT ASSESSMENT PANEL

SUMMARY OF REASONS FOR THE DECISION OF THE COMMITTEE WHICH MET ON 18th AUGUST 2006 TO DETERMINE A MARKET RENT IN RESPECT OF 1 STOCKINGS FARM COTTAGE, FALCUTT, BRACKLEY, NORTHAMPTONSHIRE NN13 5QY

File Reference No.: CAM/34UG/MNR/2064/0045

Landlord: Mr DK Duckworth
Landlord's Agent: Bidwells, 1 Cheyne Walk, Northampton NN1 5PT
Tenant: Mr N Steven-Astell
Existing Rent: £450.00 per calendar month
Rent Proposed by Landlords: £525.00 per calendar month
Rent Determined by Committee: £450.00 per calendar month

Members of the Committee: Mr JR Morris (Chairman)
Mr RC Petty FRICS
Mrs J DeM Ambrose

Clerk to the Committee: Mr J Childe

The Tenancy

The Tenancy appears to be a contractual Assured Shorthold Tenancy that commenced on 24th July 1990 with prior notice of Shorthold tenure. Under the Tenancy the Tenant is responsible for internal decoration and the Landlord is responsible for external repair and decoration and the tenancy is subject to Section 11 of the Landlord and Tenant Act 1985.

The Application

The Landlord by a notice in the prescribed form dated 13th June 2006 proposed a new rent of £525.00 per calendar month to commence on the 1st August 2006. On the 23rd June 2006 the Tenant applied to the Rent Assessment Panel.

The Property:

The property is a two storey detached house constructed of brick, rendered to the first floor under a tile roof built circa 1936. The house comprises a hall with stairs rising to the first floor, two living rooms and a kitchen on the ground floor and three bedrooms and bathroom on the first floor. Space heating, installed by the Tenant, is by an electric storage heater in the hall and a wood burning stove in one of the living rooms which also supplies five radiators to two bedrooms, the bathroom, the landing and a living room and hot water supplemented by an electric immersion heater also installed by the Tenant. There is an open fire in the other living room. The property has mains electricity and water. Drainage is by septic tank. Outside there are grounds to all sides and a large garden to the rear. There is an attached brick outhouse and off road parking for several vehicles. The property is situated in a rural location about half a mile from the hamlet of Falcutt a mile from the village of Helmdon and 4 miles from Brackley. The property is let unfurnished.

Condition:

The Committee inspected the property in the presence of the Tenant. Externally the property is in fair condition. The Landlord had fitted upvc double glazed windows throughout. The guttering has been rerouted and this has reduced some of the damp problems under the suspended floors however the end portion of one of the gutter falls the wrong way and overflows causing damp in one of the living rooms. The Tenant has to maintain the septic tank, which serves the neighbouring properties as well as the subject Property. The concrete roof of the outhouse leaks. Internally the kitchen was fitted and the bathroom had a modern suite although both are now dated. The Tenant had installed a shower over the bath and affixed additional tiles in both bathroom and kitchen. There was evidence of damp, which was likely to be due to condensation in the bathroom but possibly rising damp in the kitchen. The damp in the bedroom may be as a result of either penetrating or condensation due to the solid wall construction. No carpets curtains or white goods are provided.

Law:

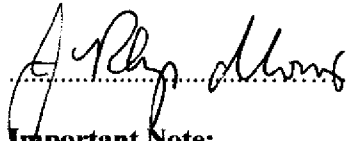
Sections 13 and 14 of the Housing Act 1988 apply.

Open Market Rent

The Landlord submitted rental values for two properties of very similar structure nearby which were let on Assured Shorthold Tenancies at a rent of £9,000 per annum from 5th October 2004 equating to £750.00 per calendar month and £8,400 per annum from 10th October 2003 equating to £700.00 per calendar month. The Committee noted the comparables had been renovated having oil-fired central heating, the kitchens had been extended into the reconstructed attached outbuilding and the kitchens and bathrooms had been fully modernised and re-fitted by the Landlord. They also had solid floors solving some of the damp problems suffered by the subject property. The Committee noted these comparables and using the knowledge and experience of its members determined that a market rent for the subject property in similar condition would be £750.00. However the Committee considered that a global deduction of £300.00 per calendar month should be made in respect of the subject property to take account of the condition, the dated kitchen and bathroom, the lack of central heating, as let, and the lack of carpets, curtains and white goods. It should be noted that this figure cannot be a simple arithmetical calculation and is not based specifically upon capital cost but is the Committee's estimate of the amount by which the rent would have to be reduced to attract a tenant.

Market Rent for subject property £450.00 per calendar month

The Committee determined that in accordance with section 14 (1)(a) and (b) Housing Act 1988 the rent should commence from the beginning of the period of the Tenancy and having taken account of section 14 (7) Housing Act 1988, determined that the increased rent should take effect from the 1st August 2006.



JR Morris, Chairman

Important 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 for such reasons is received by the Panel Office within 21 days form the receipt of this document. The papers will then be returned to the Chair for such detailed reasons to be prepared.

Caution: The Committee inspected the subject property for the purposes of reaching this decision. The inspection was not a structural survey and any comments about the condition of the property in this Statement must not be relied upon as a guide to the structural or other condition of the property.