

SUMMARY STATEMENT OF REASONS
for the decision of the Committee which met on 23 February 2007
to determine a FAIR RENT in respect of
93 Monkswood Avenue, Waltham Abbey, Essex EN9 1LJ

Ref. No. CAM/22UH/F77/0005

Landlord: St Ermins Property Co Ltd (agents B Bailey & Co, Ilford)
Tenant: Mr & Mrs B Cuthbert

Rent at date of Application:	£105.00 per week (£107.00 before capping)
Rent proposed by Applicant:	£121.90 per week
Rent determined by Rent Officer:	£115.00 per week
Rent determined by Committee:	£115.00 per week

MEMBERS OF THE COMMITTEE: **Mr G M Jones - Chairman**
Mr F W J James FRICS
Mr A J Jackson JP

THE PROPERTY	The Committee inspected the property externally, the tenants not being at home, and found it to be generally as described in the Rent Register. It is a small semi-detached three-bedroom house of brick and tile construction dating probably from the 1950's, let entirely unfurnished. As let, space heating was probably by one built-in electric fire in the dining room and an open fire in the living room. Two parking spaces.
CONDITION	The property appeared to be in fair structural condition, with fairly recent UPVC double-glazing. Prior to tenants' improvements, the kitchen and bathroom were probably original, tired and dated. The property has been well cared for by the tenants.
TENANT'S IMPROVEMENTS	Front door; double doors enclosing rear porch to form lobby; kitchen and bathroom fittings entirely replaced; partial central heating, garden improvements.
LOCATION	Improving residential cul-de-sac in generally deprived area on the northern edge of Greater London, just off the M25. On-street parking is restricted and available parking space appears congested.

SCARCITY

In the experience of the Committee, scarcity in the wider locality (northern London fringe) for this type of property justifies a deduction of 20%. The Committee rejects the landlord's contentions on this issue.

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 limited 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 calendar month.

COMMITTEE'S CALCULATIONS

Open market rent	£850.00 p.c.m.
Less global deduction for age, character, size, condition and lack of furnishings and modern facilities and stripping out tenant's improvements 27.5%	<u>£233.75</u>
Adjusted open market rent for this property	£616.25 p.c.m.
Reduction for scarcity 20%	<u>£123.25</u>
	£493.00 p.c.m.
Converting to weekly basis and rounding	<u>£114.00 per week</u>

THE RENT ACTS (MAXIMUM FAIR RENT) ORDER 1999

The maximum fair rent calculated in accordance with the formula set out in the Order is £119.00 per week. The rent is not exempt from capping.

DECISION

The Committee can find no sufficient reasons to differ from the Rent Officer. As the maximum fair rent is more than the Committee's assessment, the fair rent is £115.00 per week

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.