

**Notice of the Rent Assessment Committee Decision and
Register of Rents under Assured Periodic Tenancies
(Section 14 Determination)**

Housing Act 1988 Section 14

Address of Premises

2 Brook Road
Surbiton
Surrey
KT6 5DB

The Committee members were

Mr I Mohabir LLB (Hons)
Mrs A Flynn
Mr E Goss

Landlord

Address

W B Farmer Will Trust
c/o Carter Bell LLP Solicitors
Kings Stone House
12 High Street
Kingston Upon Thames
Surrey
KT1 1HD

Tenant

Mr G Victor Rowles

1. The rent is:

£480.0
0

Per

month

(including water rates and council tax and
services)

2. The date the decision takes effect is:

11 October
2006

***3. The amount included for services is not
applicable**

Per

***4. Service charges are variable and are not included**

5. Date assured tenancy commenced

Approx. 1991

6. Length of the term or rental period

Monthly Periodic

7. Allocation of liability for repairs

S.11 Landlord and Tenant Act
1985

8. Furniture provided by landlord or superior landlord

N/A

9. Description of premises

Self-contained purpose built first floor flat. Comprising 2 bedrooms, living room,
bathroom/wc, Kitchen giving access to rear garden.

Chairman

I Mohabir

Date of Decision

17 January 2007

Rent Assessment Committee: Summary reasons for decision Housing Act 1988

Address of Premises

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Surrey
KT6 5DB

The Committee members were

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Mrs A Flynn
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1. Background

On 23 September 2006 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 £500 per calendar month with effect from 11 October 2006 is dated 6 September 2006.

The tenancy is a periodic tenancy which commenced in 1991. The current rent is £281.67 per calendar month.

2. Inspection

The Committee inspected the property on 17 January 2007 and found it to be in overall fair condition.

The following qualifying tenant's improvements had been made to the property.

- (1) Installation of central heating
- (2) Laminate flooring to living room
- (3) Fan lighting to living room and both bedrooms
- (4) One wall unit and work surface to kitchen

3. Evidence

The committee received written representations from the landlord and the tenant and these were copied to the parties.

A hearing was arranged for 17 January 2007 at 10 Alfred Place but neither party attended.

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 so doing 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 to the members' own general knowledge of market rent levels in the area of Surbiton and concluded that an appropriate market rent for the property would be £480 per calendar month.

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 £480 per calendar month.

This rent will take effect from 11 October 2006 being the date specified by the landlord in the notice of increase.

It should be noted that the tenancy contains a variable service charge within the meaning of section 18 of the Landlord and Tenant Act 1985. It follows that in accordance with Housing Act 1988, section 14(4) the rent determined by the Committee for the purposes of this application is exclusive of that service charge which will therefore be recoverable in addition to the rent determined.

Chairman: I Mohabir

Dated: 17 January 2007

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 written request to the committee clerk which must be made within 28 days from the date of issue of this document.

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