

Rent Assessment Committee: Summary reasons for decision.

Housing Act 1988 – Section 14

Address of Premises

5 Eastlands Grove
Stafford
Staffordshire
ST17 9BE

The Committee members were

Mr M J Martin
Mr I D Humphries BSc (Est Man) FRICS
Mrs N Jukes

1. Background

On 3 May 2005 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 £ 100 per week with effect from 28 May 2005 is dated 26 April 2005.

The tenancy is a statutory periodic tenancy by succession which arose on the death of the former tenant. The rent payable is £ 48 per week.

2. Inspection

The Committee inspected the property on 4 August 2005.

It was noted that there was subsidence in the left hand rear walls of the property, most of its casement windows were not opening and the kitchen and bathroom needed complete refurbishment.

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

Fencing and posts, loft insulation, front panel to bath, new lock and handles to front door, new garden shed, garden landscaping.

3. Evidence

The Committee received written representations from the landlord and/tenant and these were copied to the parties/ No written representations were received from the landlord.

A hearing was held at Stafford on 4 August 2005 at which oral representations were made by the tenant. The landlord was not present or represented.

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 evidence supplied by the parties/ and the members' own general knowledge of market rent levels in the area of Stafford and concluded that an appropriate market rent for the property would be £ 65 per week.

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 £ 65 per week.

This rent will take effect from 4 August 2005 the Committee being satisfied that undue hardship would otherwise be caused to the tenant.

Chairman ____Mr W J Martin____

Dated ____4 August 2005____

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.