

EASTERN RENT ASSESSMENT PANEL

STATEMENT OF REASONS FOR THE DECISION OF THE COMMITTEE WHICH MET ON 11th FEBRUARY 2005 TO DETERMINE A FAIR RENT IN RESPECT OF 23 ROBERTS RIDE, HAZLEMERE, BUCKINGHAMSHIRE HP18 7AD

File Reference No.:	CAM/11UB/F77/2004/0158
Landlord:	Bicknell Investments Ltd
Landlord's Agent:	B Bailey & Co, 118 – 120 Cranbrook Road, Ilford, Essex IG1 4LZ
Tenant:	Mrs C Lee
Existing Rent:	£115.00 per week exempt from the Rent Acts (Maximum Fair Rent) Order by reason para. 2(7) works carried out by Landlord
Rent Proposed by Landlords:	£172.50 per week
Rent Determined by Rent Officer:	£125.00 per week below the capped rent under the Rent Acts (Maximum Fair Rent) Order
Rent Determined by Committee:	£119.00 per week below the capped under the Rent Acts (Maximum Fair Rent) Order
Members of the Committee:	Mr JR Morris (Chairman) Mrs S Redmond BSc (Econ) MRICS Mr B Tyers
Clerk to the Committee:	Mr J Childe

The Tenancy:

The tenancy appears to be a statutory monthly periodic tenancy, which commenced in 1972. According to the Rent Register Section 11 of the Landlord and Tenant Act 1985 applies in respect of the Landlord's obligations and the Tenant is responsible for internal decoration.

The Application:

The Landlord by a notice in the prescribed form received by the Rent office on the 9th November 2004 proposed a new rent of £172.50 per week. On the 30th November 2004 the Rent Officer registered a rent effective from 5th February 2005 of £125.00 per week, which appears to be below the capped rent under the Rent Acts (Maximum Fair Rent) Order 1999. On 17th December 2004 the Landlord applied to the Rent Assessment Panel.

The Property:

The Property is a two storey, three-bedroom semi-detached house constructed circa 1960 of brick under a pitched tile roof. The Property comprises a hall from which rises stairs to the first floor, two interconnecting living rooms and kitchen on the ground floor and three bedrooms and a bathroom with w.c. on the first floor. Space and water heating are by a radiator gas fired central heating system installed by the Tenant; otherwise heating would be by open fires. The property has mains electricity, gas, water and drainage. There is a shared drive to a brick garage with asbestos roof. There are gardens to front and rear. The property is let unfurnished. The property is situated in close proximity to local shopping, schools and bus services.

Condition:

The Committee inspected the property in the presence of the Tenant. The exterior of the property is in generally good although the chimney requires re-pointing and rotten wood around the back door frame needs replacing. According to the Rent Officer's notes upvc replacement windows with double glazed units have been fitted as part of works carried out prior to the last registration and in respect of which the rent cap under the Rent Acts (Maximum Fair Rent) Order 1999 was lifted for that rent registration. Internally the kitchen and bathroom are dated. Carpets, curtains and white good are not provided. The

Tenant has erected a fence and gate in the garden. It was noted that the asbestos garage roof is in poor condition.

Law:

Attached to this Statement of Reasons is a resumé of the law applied by the Committee.

Open Market Rent

Neither party submitted rental evidence of comparable properties. The Committee using the experience of its members determined that a market rent for the subject property, taking into account its location, in good condition with central heating, modern kitchen and bathroom, and let with carpets, curtains and white goods on an Assured Shorthold Tenancy would be £200.00 per week. The Committee considered that a global deduction of £60.00 per week should be made in respect of the subject property for dated kitchen and bathroom the lack of central heating in the property as let. The deduction also takes account of 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.

Scarcity

It was decided that there is substantial scarcity of "... similar dwelling-houses in the locality..." in this case Buckinghamshire that are available for letting and a deduction would be made to reflect this of 15%


Committee's Calculations:

Open Market Rent:	£200.00 per week
Less global deduction	<u>£60.00</u>
	£140.00
Less Scarcity 15%	<u>£21.00</u>
	£119.00 per week

'Uncapped' fair rent say £119.00 per week

The provisions of the Rent Acts (Maximum Fair Rent) Order 1999 require that the registered rent is either the capped Fair Rent or the Fair Rent decided by the Committee which ever is the lower. The capped Fair Rent is calculated in accordance with a statutory formula using the existing rent as a base. The capped rent in this case is £128.00 per week, which is higher than the Fair Rent assessed by the Committee and therefore the Fair Rent assessed by the Committee is to be registered.

FAIR RENT = £119.00 per week

..... John R 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.