

## **EASTERN RENT ASSESSMENT PANEL**

### **STATEMENT OF REASONS FOR THE DECISION OF THE COMMITTEE WHICH MET ON 12<sup>th</sup> JULY 2004 TO DETERMINE A MARKET RENT IN RESPECT OF 105 ORCHARD DRIVE, ST ALBANS**

File Reference No.: CAM/26UG/MNR/2004/0050

Landlord: Ms M Gardner  
Landlord's Agent: Dean Wilson Laing, Solicitors, 96 Church Street, Brighton,  
East Sussex, BN1 1UJ

Tenant: Mrs CC Smith  
Existing Rent: £400.00 per calendar month  
Rent Proposed by Landlords: £935.00 per calendar month  
Rent Determined by Committee: £660.00 per calendar month

Members of the Committee: Mr JR Morris (Chairman)  
Miss M Krisko BSc(Est Man), BA, FRICS  
Mr B Tyers

Clerk to the Committee: Mr M Allbut

#### **The Property:**

The property is a two storey detached chalet style house with dormer windows constructed of brick under a tile roof built circa 1983. The house comprises a hall with stairs rising to the first floor, shower room with w.c., living room, and kitchen/dining room on the ground floor and two bedrooms and bathroom on the first floor. Space and water heating is by a gas fired radiator central heating system with additional water heating by an immersion. The property has mains electricity, water and drainage. The property is situated in a residential area about three miles from St Albans city centre. The property is let unfurnished. Outside there is a garden to front and rear. There is an attached garage and a drive affording off road parking.

#### **Condition:**

The Committee inspected the property in the presence of the Landlord's representative, Mr A Gardner and the Tenant. Externally the property is in fair to good condition. Internally the kitchen and bathroom are dated. There are signs of damp in the living room and in the under stairs cupboard. These may be caused by what appear to be a leak from the shower and w.c.. The Landlord provided carpets in the hall, stairs and landing and the bedrooms. Floor covering was also provided in the kitchen/dining room. The Tenant has replaced the carpet in the living room and laid her own carpet over the flooring in the bathroom. The Tenant has replaced the white goods in the kitchen and the curtains belong to the Tenant.

#### **Law:**

Sections 13 and 14 of the Housing Act 1988 apply.

#### **Open Market Rent**


The Landlord submitted rental values for properties for five properties three of which were in the vicinity of the subject property. None of the properties were direct comparables but were submitted to give a guide as to the general level of rents in the area. The Committee using the experience of its members determined that a market rent for a property similar to the subject property, taking into account its location, in good condition with central heating, modern kitchen and bathroom, and let with some carpets, curtains and white goods on an Assured Shorthold Tenancy would be £825.00 per calendar month.

However the Committee considered that a global deduction of £165.00 per calendar month should be made in respect of the subject property due to the dated kitchen and bathroom, the lack of white goods and curtains, the condition of the heated towel rail, the need for repair in respect of the damp probably

caused by problems with the plumbing and the cracked plaster work. 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 £660.00 per calendar month**

The Committee were of the opinion that for the increased rent to commence from the 1<sup>st</sup> June 2004 in accordance with section 14 (1)(a) and (b) Housing Act 1988 would cause hardship because the Tenant was in receipt of Housing Benefit, which would not be reviewed until October 2004. To mitigate the effects of this the Committee exercised its discretion under section 14 (7) Housing Act 1988 and determined that the increased rent should take effect from the **12<sup>th</sup> July 2004**.

 ..... 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.