

**Rent Assessment Committee: Reasons for decision.****Housing Act 1988****Address of Premises**

27 Keats Road  
Aylesford  
Kent  
ME20 6TP

**The Committee members were**

Mr. R. Norman (Chairman)  
Mr. M.G.Marshall FRICS

**1. Background**

On 2nd May 2006 an application for determination of a rent under an assured shorthold tenancy under section 22 (1) of the Housing Act 1988 ("the Act") was received from the tenant of the above property.

The tenancy commenced on 25th February 2006 for a term of six months. The current rent is £795 per month.

**2. Inspection**

The Committee inspected the property on 14th June 2006 in the presence of the tenants and found it to be in good condition. It is a modern semi-detached house with a living room/diner, fully fitted kitchen and cloakroom on the ground floor and three bedrooms and a bathroom on the first floor. The property has central heating and a garage and there are small gardens with decking at the rear. Some fittings are provided by the landlord.

**3. The law**

In accordance with the terms of Section 22 (1) of the Act the application is for a determination of the rent which, in the committee's opinion, the landlord might reasonably be expected to obtain under the assured shorthold tenancy.

Section 22 (3) of the Act provides that the committee shall not make such a determination unless they consider-

- (a) that there is a sufficient number of similar dwelling-houses in the locality let on assured tenancies (whether shorthold or not); and
- (b) that the rent payable under the assured shorthold tenancy in question is significantly higher than the rent which the landlord might reasonably be expected to be able to obtain under the tenancy, having regard to the level of rents payable under the tenancies referred to in paragraph (a) above.

Under Section 22 (4)(a) of the Act the determination shall have effect from such date as the committee may direct, not being earlier than the date of the application.

#### **4. Evidence**

The committee received no written representations from the landlord or the tenant.

#### **5. The decision**

The Committee determined that “the locality” for the purposes of Section 22 (3)(a) should be Maidstone and the surrounding area where there were many properties let on assured tenancies, whether shorthold or not. There were, as would be expected, differences in the rents which could be achieved in different parts of that area; some parts being more attractive than others.

We found that there was a sufficient number of similar dwelling-houses in the locality let on assured tenancies (whether shorthold or not) and that therefore the provisions of Section 22 (3)(a) were satisfied.

We found that the rent payable under the assured shorthold tenancy in question was significantly higher than the rent which the landlord might reasonably be expected to be able to obtain under the tenancy, having regard to the level of rents payable under the tenancies of similar dwelling-houses in the locality let on assured tenancies (whether shorthold or not).

No evidence of rents of similar properties had been provided by the landlord and we had to use our own knowledge of rents in the locality to make a determination.

We determined that the rent which the landlord might reasonably be expected to obtain under the assured shorthold tenancy would be £750 per calendar month and the rent is therefore £750 per calendar month with effect from 2nd May 2006 being the date the application was received.

Chairman 

Dated 14.06.06