

**Rent Assessment Committee: Jurisdiction Hearing.**  
**Rent Act 1988**

**Address of Premises**

1 Fairlight Avenue  
Ramsgate  
KENT

**The Committee members were**

Mr I Collins FRICS IRRV (Chairman)  
Mr M Marshall FRICS  
Ms L Farrier

**Tenant:** Mr T Cooper Jnr

**Landlord:** Countrywide Property Management

**1. Background**

On the 3<sup>rd</sup> March 2003 the landlord's agents, Countrywide Property Management, served a notice under section 13 (2) of the Housing Act 1988 on the tenant proposing a new rent of £99 per week for the above property. The proposed rent to take affect on the 5<sup>th</sup> May 2003.

By an application dated the 5<sup>th</sup> March 2003 the tenant under section 13(4) of the Housing Act 1988 referred the matter to the Rent Assessment Committee.

The tenant was notified by the Residential Property Tribunal Service, Southern Rent Assessment panel, on the 7<sup>th</sup> March 2003 that the Landlords letter dated 20<sup>th</sup> January 2003 proposing a new rent may not comply with the notice required to be served on the tenant under section 13 of the Housing Act 1988. Therefore the tenants application under section 13 (4) of the Housing Act 1988 may be deemed by a Rent Assessment Committee to be invalid.

By a letter the tenant confirmed that he wished to proceed with his application and that a preliminary hearing be convened to determine jurisdiction.

**2. The Hearing**

A hearing was arranged for 11.45 am on the 28<sup>th</sup> April 2003 in the Broadstairs & Thanet District Council offices, Pierpoint Avenue, Broadstairs. The tenant Mr T Cooper attended but the landlord was not represented.

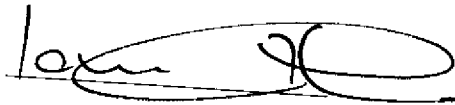
### **3. The Law**

Section 13 of the Housing Act 1988 applies to increases in rent under assured periodic tenancies. Where a landlord proposes to secure an increase in rent under the provisions of this section then a notice must be served in the prescribed form (the Assured Tenancies and Agricultural Occupancies (Forms) Regulations 1997) and in accordance with the notice periods set out in sections 13 (2) and 13 (3) of the Act.

### **4. Decision**

The Committee noted that the landlords letter dated the 20<sup>th</sup> January 2003 was a notice under section 13 (2) of the Housing Act 1988 in the prescribed form and the document was signed and dated. The tenants application under section 13 (4) of the Housing Act 1988 is deemed by the Committee to be valid and the Committee therefore has jurisdiction.

Chairman



Dated

28<sup>th</sup> April 2003

**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**1 Fairlight Avenue  
Ramsgate  
Kent  
CT12 6EH**The Committee members were**Mr I Collins FRICS IRRV  
Mr P Stowers FRICS  
Ms L Farrier**Landlord  
Address**Countrywide Property Management  
Central House, Clifftown Road, Southend on Sea**Tenant**

Mr T Cooper Jnr

1. The rent is:

£76

Per

week

(excluding water rates and council tax  
but including any amounts in paras 3&4)

2. The date the decision takes effect is:

5<sup>th</sup> MAY 2003.\*3. The amount included for services is/is  
negligible/not applicable

N/A

Per

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

5. Date assured shorthold tenancy commenced

4/4/1988

6. Length of the term or rental period

NOT KNOWN

7. Allocation of liability for repairs

USUAL.

8. Furniture provided by landlord or superior landlord

N/A

9. Description of premises

END TERRACE HOUSE.

Chairman



Date of Decision

28/5/2003.