

Extended Reasons for Decision

4 Minster Court, Mansfield Road, Nottingham, NG5 2BQ

1. Background

- 1.1 On 21/08/2005 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.
- 1.2 The landlord's notice, which proposed a rent of £400.00 per month with effect from 17/11/2005, is dated 21/08/2005.
- 1.3 The tenancy is a periodic tenancy which commenced on 17/10/1993. The current rent is £385.00 per month.

2. Inspection

- 2.1 The Committee inspected the property on 26/10/2005 in the presence of the tenant and the landlord. The property is a first floor flat in a prime location comprising living/dining room, fitted kitchen which opens out onto the living/dining room, bathroom and two bedrooms. There is no allocated parking but there is a garage. The property is centrally heated but not double glazed. There had been no tenant improvements made to the property. The Committee found the property to be in a fair condition.

3. Evidence

- 3.1 The Committee received written representations from the tenant and these were copied to the parties. No written representations were received from the landlord.
- 3.2 Neither party requested a hearing at which oral representations could be made.

4. The Law

- 4.1 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.
- 4.2 In doing so the Committee, as required by section 14(1), ignored any effect on the rent attributable to granting the tenancy to a sitting tenant; the effect on the rental value of the property of any relevant tenant's improvements, and any failure by the tenant to comply with any terms of the tenancy.

4.3 In coming to its decision the Committee had regard to the members own general knowledge of market rent levels in the area of Nottingham and concluded that an appropriate market rent for the property would be £385.00 per month.

5. The Decision

5.1 The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £358.00 per month.

5.2 This rent will take effect from 17/11/2005 being the date specified by the landlord in the notice of increase.

Dated 20/11/06
TN Jackson Chair N. Jackson