

**Rent Assessment Committee: Summary reasons for decision.  
Housing Act 1988**

**Address of Premises**

104 Weyhill Road  
Andover  
SP10 3NP

**The Committee members were**

Mr J H S Preston JP FRICS  
Mr C G Thompson

**1. Background**

On 31 May 2003 Miss Eileen M Cornford, the tenant of the above property, referred to the Committee a notice of increase of rent served by Croft Property Management Services Limited on behalf of Brooks Mayfield, the landlord, under section 13 of the Housing Act 1988.

The landlord's notice, which proposed a rent of £520 per month with effect from 30 June 2003, is dated 14 May 2003.

The tenancy is a statutory periodic tenancy by succession, which arose on the death in March 2003 of the former tenant, who was Miss Cornford's mother. The rent payable is £273 per month

**2. Inspection**

The Committee inspected the property on 22 July 2003. It is situated on the north side of Weyhill Road, which is a busy main road into Andover. It is an end-of-terrace house, which was built in 1912 and has the following accommodation: -

Ground Floor. Hall; Sitting room; Dining room with larder cupboard; Kitchen.

First Floor. One double and one single Bedroom; Bathroom with WC, basin, shower.

External. Lean-to coal shed and toilet.

To the rear there is a long narrow garden. There is no off-street parking and parking is not allowed in this part of Weyhill Road.

Mains gas, electricity, water and drainage are connected.

There is no central heating.

All appliances and white goods, curtains and carpets are the tenant's.

The house is in fair condition; the following defects were noted: -

- Damp external wall to dining room, probably caused by water from blocked gutter.
- Loose wall plaster in the sitting room.
- External wood and ironwork in need of painting.
- Some internal redecoration needed especially to the kitchen.

The tenant is liable for internal decorations and the landlord is liable for all other repairs and decorations.

The following tenant's improvements and fixtures have been recorded: -

Garden fencing on the right hand side of rear garden

Supply and installation of kitchen units and sink, by the tenant's father in the 1960's

Supply and installation of hot and cold water pipes with cylinder and airing cupboard in the 1960's (cylinder replaced recently by the landlord)

Supply and installation of WC (in the 1960's) and Shower (in the early 1990's) in the bathroom

Replacement of front door

Gas fire in the dining room

The landlord has carried out the following works: -

Insulation of roof space

Re-roofing with concrete tiles

Re-wiring the electrical installation

Treatment of floorboards

Replacement of back door

Double-glazed UPVC windows

### **3. Evidence**

The committee received written representations from the tenant, including information on the house at the time of its sale in 2002. These are incorporated in the above description, having been noted during the inspection. The landlord submitted no evidence, other than as to the nature of the tenancy.

Neither party requested a hearing at which oral representations could be made.

### **4. The Law**

Section 14 of the Housing Act 1988 sets out the prescription for the Rent Assessment Committee to follow in determining the rent. They are to consider the rent at which the dwelling might reasonably be expected to be let in the open market by a willing landlord under an assured tenancy, on similar terms and conditions to those applying to the tenancy for the subject dwelling. They are to disregard: -

- Any effect on the rent attributable to the granting of a tenancy to a sitting tenant
- Any increase in value attributable to a relevant improvement carried out by the tenant
- Any reduction in value attributable to a failure by the tenant to comply with any of the terms of the tenancy

A relevant improvement is defined as one, which is carried out during the tenancy to which the notice relates, or for which the following condition, among others, is satisfied: -

“That it was carried out not more than 21 years before the date of service of the notice.”

## 5. Reasons and decision

In the absence of any evidence from the parties on market rental values, the Committee took account of their own knowledge of market rent levels in the Andover - Basingstoke area. They concluded that such a property in the location of Weyhill Road and in good letting condition, with modern kitchen and bathroom and with central heating, fully redecorated and with fitted carpets and some white goods such as a cooker, would have a rental value of £550 per month.

From the tenant's representations and from their own observations during the inspection the Committee decided that the principal tenant's improvements did not fall within the above definition of relevant improvements and therefore that they should not be disregarded. However they determined that the value of other improvements and of fixtures installed by the tenant had a value of £35 per month. The lack of carpets and white goods in rental terms amounted to a further £35 per month. In addition they assessed the value of the tenant's interior decorating liabilities in the sum of £30 per month and they made an allowance of £55 per month for the lack of central heating and a modern kitchen.

The Committee accordingly concluded that the rent for No. 104 Weyhill Road, under Section 14 of the Housing Act 1988 should be **£395 per month**. This will take effect **from 30 June 2003**, being the date specified by the landlord in his notice.

(signed)

Signed \_\_\_\_\_ J HS Preston JP FRICS (Chairman)

Dated 22 July 2003

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This document contains a summary of the reasons for the Rent Assessment Committee's decision. If either party requires extended reasons to be given, they will be provided following a request to the committee clerk, which must be made within 21 days from the date of issue of this document.