

**THE MIDLANDS RENT ASSESSMENT COMMITTEE  
DECISION AS TO JURISDICTION  
HOUSING ACT 1988 SECTION 13**

**Case Ref:** BIR/47UC/MNR/2006/0109

**Members:** Mr I.D. Humphries B.Sc.(Est.Man.) FRICS  
Mr J. Dove  
Mrs C.L. Smith

**Premises:** 21 Lower Chase Road, Malvern, Worcestershire, WR14 2BX

- 1 The tenants, Nathan Wanklin and Carrie Hookins, appear to hold an Assured Shorthold Tenancy of the property from the landlord, Mrs Irene Wright, but the Rent Assessment Committee have only been provided with an unsigned Tenancy Agreement for a fixed term of 6 months from 11th June 2005 and Mr Wanklin's application to the Committee indicates that the term commenced on 11th November 2005. There is uncertainty regarding the status of tenancy and commencement date from the information provided.
- 2 The Committee have been provided with a copy of an unsigned Notice dated 4th April 2006 served by the landlord's agents requiring possession of the property on 11th June 2006. The Committee also have a copy letter from the landlord's agent addressed to the tenants dated 1st April 2006 proposing terms for a new tenancy from 11th June 2006 at an increased rent.
- 3 The tenant submitted an application to the Rent Assessment Committee dated 4th April 2006 for the rent to be determined in accordance with s.13 of The Housing Act 1988.
- 4 The Rent Assessment Committee considered the validity of the application on 24th May 2006.
- 5 The Committee found that without a copy of a valid tenancy agreement or Notice of Increase in accordance with s.13(2) of the Housing Act 1988 they were unable to proceed to determine the rent and accordingly have no jurisdiction.

I.D. Humphries B.Sc.(Est.Man.) FRICS  
Chairman

Date 26 MAY 2006

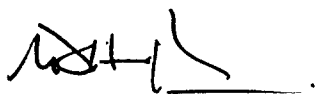
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