

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

Address of Premises

12 Victoria Street
Whitstable
Kent

The Committee members were

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

1. Background

On 5th April 2004 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.

The landlord's notice, which proposed a rent of £595 per month with effect from 1st May 2004 is dated 30th March 2004.

The tenancy is a periodic tenancy which commenced on 2nd April 1998 for a term of 6 months. The current rent is £525 per month.

2. Inspection

The Committee inspected the property on 18th May 2004 and found it to be in fair order only.

3. Evidence

The Committee had not received written representations from either party.

A hearing was held at 12 Victoria Street, Whitstable on the 18th May 2004 at 12.30 pm at which oral representations were made by the landlord and tenants.

4. The Law

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.

In so doing the Committee, as required by section 14(1), ignored the effect on the rental value of any relevant tenant's improvements as defined in section 14(2) of that Act.

In coming to its decision the Committee had regard to the evidence supplied by the landlord, tenants and the members' own general knowledge of market rent levels in the area of Herne

Bay and the mid north Kent coast and concluded that an appropriate market rent for the property would be £532 per month.

5. The decision

The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £532 per month.

This rent will take effect from 1st May 2004 being the date specified by the landlord in the notice of increase.

Signed

I W Collins FRICS IRRV
Chairman

Dated 3rd June 2004

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.

Rent Assessment Committee:

Reasons for decision

HOUSING ACT 1988

Address of Premises

12 Victoria Street
Whitstable
Kent
CT5 1HZ

The Committee Members were:

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

Landlord: Mr S Zachary

Tenant: Mr P & Mrs C Webber

1 Background

On 5th April 2004, 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.

The landlord's notice, which proposed a rent of £595.00 per month with effect from 1st May 2004, is dated 30th March 2004.

The tenancy is a periodic tenancy which commenced on 2nd April 1998 for a term of 6 months at an initial rent of £460.00 per month. The current rent is £525.00 per month.

2 Inspection

The Committee inspected the property on 18th May 2004 in the presence of the landlord and tenant. The property is a mid terraced house of rendered brick with a slate roof with mainly replacement pvc double glazed windows and gas central heating. The accommodation provides on the ground floor two reception rooms and back addition kitchen and bathroom, stairs to first floor with two bedrooms and further stairs to two attic bedrooms. There is a long narrow rear garden with pedestrian access. General condition and decoration of the property is only fair, with some uneven plaster work, exposed pipes and wiring. The kitchen fittings are in fairly poor order, and the bathroom decoration and tiling is poor.

3 Evidence

The Committee had received written representations from the landlord in response to the tenant's application to the Rent Assessment Committee.

A hearing was held at 12 Victoria Street, Whitstable on the 18th May 2004 at 12.30 pm, with the landlord and tenant present. Oral representations were made by the landlord and tenants,

with the landlord providing further written evidence and copies of local newspapers.. The landlord stated that the comparable evidence in the papers for 4 bedroomed properties gave rent range of between £650 to £675 per month. It is in a central and popular location, with the benefit of public residents car parking at only £50 per annum. They are good tenants and the rent had been set at a lower level as the tenant undertakes small items of maintenance and decoration. The gas boiler is serviced each year by the landlord. The rent had therefore been assessed by the landlord at £595 per month. On being questioned in respect of some of the comparable evidence the landlord confirmed that he did not know whether all the properties had central heating. The unusual shared entrance hall had been constructed specially by the original builder.

The tenant responded that house prices were being inflated by demand from Londoners and that this was impacting on rents so that local people can no longer afford to stay.

4. The Law

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.

In so doing the Committee, as required by section 14(1), ignored the effect on the rental value of any relevant tenant's improvements as defined in section 14(2) of that Act.

In coming to its decision the Committee had regard to: the condition of the property and state of repair, its location, accommodation, the market evidence supplied by the landlord and tenants together with the members' own general knowledge of market rent levels in the area of Herne Bay and the mid north Kent coast and concluded that an appropriate market rent for the property would be £532 per month.

5. The decision

The Committee therefore concluded that the rent at which the property might reasonably be expected to be let on the open market would be £532 per month.

This rent will take effect from 1st May 2004 being the date specified by the landlord in the notice of increase.



Chairman

I W Collins FRICS IRRV

Dated

12th July 2004