

EASTERN RENT ASSESSMENT PANEL

STATEMENT OF REASONS FOR THE DECISION OF THE COMMITTEE WHICH MET ON 2nd SEPTEMBER 2005 TO DETERMINE A FAIR RENT IN RESPECT OF 17 LONDON ROAD, DAVENTRY, NORTHAMPTONSHIRE NN11 4HU

File Reference No.: CAM/34UC/F77/2005/082

Landlord: Stepnell Estates Ltd, Lawford Road, Rugby, Warwickshire
CV21 2UU

Tenant: Mr PG Pratt

Existing Rent: £360.00 per calendar month below the capped rent under
Rent Acts (Maximum Fair Rent) Order 1999

Rent Proposed by Landlords: £405.00 per calendar month

Rent Determined by Rent Officer: £380.00 per calendar month (Fair rent below the capped rent
under Rent Acts (Maximum Fair Rent) Order 1999)

Rent Determined by Committee: £400.00 per calendar month capped under Rent Acts
(Maximum Fair Rent) Order 1999 (Uncapped rent £477.00
per calendar month)

Members of the Committee: Mr JR Morris (Chairman)
Mr RC Petty FRICS
Mrs J De M Ambrose

Clerk to the Committee: Mr J Childe

The Tenancy:

The tenancy appears to be regulated under the Rent Act 1977, which commenced in June 1975. As a Tenancy, not being for a fixed period of 7 years or more, s11 of the Landlord and Tenant Act 1985 applies in respect of the Landlord's liability for repairs. Tenant is responsible for internal decorations.

Application:

The Landlord by a notice in the prescribed form dated 11th May 2005 proposed a new rent of £405.00 per calendar month. On the 6th June 2005 the Rent Officer registered a rent effective from the 25th July 2005 of £380.00 per calendar month, which was below the capped rent under Rent Acts (Maximum Fair Rent) Order 1999. On 11th July 2005 the Landlord applied to the Rent Assessment Panel. Miss Mather, the Landlord's Representative attended the Hearing but the Tenant did not.

The Property:

The property is a semi-detached two-storey house of brick with rendered rear elevations to the rear under a tile roof built circa 1930s. The property comprises a hall with stairs to the first floor, sitting room, dining room and kitchen on the ground floor and three bedrooms and a bathroom on the first floor. There is a garden to the front of the property and a rear garden with side and rear access. There is a brick double garage in a separate block at the end of the back garden. Water and space heating is by a gas fired central heating system with supplementary immersion heater. The property has mains electricity, gas, water and drainage. The property is situated in a residential area on the edge of the town centre. The property is let unfurnished.

Condition:

The Committee inspected the property in the presence of the Tenant. The exterior of the property is in good to fair condition. The windows are wooden and double-glazed. The kitchen would be dated but for the Tenant's improvements. The bathroom is dated but serviceable. No carpets curtains or white goods are provided.

Law:

Attached to this Statement of Reasons is a resumé of the law applied by the Committee.

Open Market Rent

The Landlord submitted rental evidence of comparable properties in London Road as follows:

9 is a semi-detached with no garage let on an assured shorthold tenancy at £450 per calendar month

11 is a semi-detached with no garage let on an assured shorthold tenancy at £460 per calendar month

11a is a detached with double garage let on an assured shorthold tenancy at £530 per calendar month

21 is a semi-detached with double garage let on an assured tenancy at £530 per calendar month

23 is a semi-detached with single garage let on an assured shorthold tenancy at £500 per calendar month

27 was also referred to but structurally this is not comparable being a detached bungalow. The Committee noted the evidence generally and particularly that of No 21, which appeared to be a direct comparable being let in similar condition to the subject property and determined that a market rent for the subject property would be £530.00 per calendar month.

Scarcity

It was decided that there is substantial scarcity of "... similar dwelling-houses in the locality..." in this case Northamptonshire that are available for letting and a deduction would be made to reflect this of 10 %

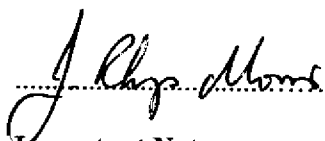
Committee's Calculations:

Open Market Rent:	£530.00 per calendar month
Less Scarcity 10%	<u>£53.00</u>
	£477.00 per calendar month

'Uncapped' fair rent say £477.00 per calendar month

The provisions of the Rent Acts (Maximum Fair Rent) Order 1999 require that the registered rent is either the capped Fair Rent or the Fair Rent decided by the Committee which ever is the lower. The capped Fair Rent is calculated in accordance with a statutory formula using the existing rent as a base. The capped rent in this case is £400.00 per calendar month, which is lower than the Fair Rent assessed by the Committee and therefore the capped rent is to be registered.

FAIR RENT = £400.00 per calendar month

JR Morris, Chairman

Important Note:

This is a summary of the Committee's reasons for its decision. Should you require more detailed reasons, they can be supplied but only if a written request for such reasons is received by the Panel Office within 21 days form the receipt of this document. The papers will then be returned to the Chair for such detailed reasons to be prepared.

Caution: The Committee inspected the subject property for the purposes of reaching this decision. The inspection was not a structural survey and any comments about the condition of the property in this Statement must not be relied upon as a guide to the structural or other condition of the property.