

Notice of the Tribunal Decision**Rent Act 1977 Schedule 11****Address of Premises**

Flat 106, Eaton Manor,
The Drive,
Hove,
BN3 3QB

The Tribunal members were

Mr B Simms FRICS
Miss C Barton BSc MRICS

Landlord

Eaton Manor Hove Ltd

Tenant

Mr A Mallett

1. The fair rent is

£12,662.13

Per

Year

(excluding water rates and council tax
but including any amounts in paras
3&4)

2. The effective date is

31 January 2019

3. The amount for services is

£1,867.13

Per

Year

4. The amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance is

£390.38

Per

Year

5. The rent is to be registered as variable.**6. The capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 apply (please see calculation overleaf).****7. Details (other than rent) where different from Rent Register entry**

The Tenancy agreement is not subject to section 11 of the Landlord & Tenant Act 1985. The Tenant is responsible for keeping the interior, both sides of the doors, window frames & glass, internal pipes (including damage caused by bursting or overflowing pipes), electric wiring, taps, water cocks, all fixtures and fittings in good and substantial repair. In addition he must redecorate the interior if required. The Landlord is responsible for all other repairs and decorations.

8. For information only:

- (a) The fair rent to be registered is not limited by the Rent Acts (Maximum Fair Rent) Order 1999, because it is below the maximum fair rent of £13,773.13 per year including £1,867.13 per year for services (variable) prescribed by the Order.

Chairman

Mr B Simms FRICS

Date of decision

31 January 2019

MAXIMUM FAIR RENT CALCULATION

LATEST RPI FIGURE	X	284.5			
PREVIOUS RPI FIGURE	Y	264.4			
X	284.5	Minus Y	264.4	= (A)	20.1
(A)	20.1	Divided by Y	264.4	= (B)	0.0760212

First application for re-registration since 1 February 1999 NO

If yes (B) plus 1.075 = (C)			
If no (B) plus 1.05 = (C)	1.1260212		
Last registered rent*	£10,573.32	Multiplied by (C) =	11905.78
*(exclusive of any variable service charge)			
Rounded up to nearest 50p =	£11,906.00		
Variable service charge	YES		
If YES add amount for services	£1,867.13		
MAXIMUM FAIR RENT =	£13,773.13	Per	Year

Explanatory Note

1. The calculation of the maximum fair rent, in accordance with the formula contained in the Order, is set out above.
2. In summary, the formula provides for the maximum fair rent to be calculated by:
 - (a) increasing the previous registered rent by the percentage change in the retail price index (the RPI) since the date of that earlier registration and
 - (b) adding a further 7.5% (if the present application was the first since 1 February 1999) or 5% (if it is a second or subsequent application since that date).

A 7.5% increase is represented, in the calculation set out above, by the addition of 1.075 to (B) and an increase of 5% is represented by the addition of 1.05 to (B).

The result is rounded up to the nearest 50 pence.
3. For the purposes of the calculation the latest RPI figure (x) is that published in the calendar month immediately before the month in which the Tribunal's fair rent determination was made.
4. The process differs where the tenancy agreement contains a variable service charge and the rent is to be registered as variable under section 71(4) of the Rent Act 1977. In such a case the variable service charge is removed before applying the formula. When the amount determined by the application of the formula is ascertained the service charge is then added to that sum in order to produce the maximum fair rent.