
STATUTORY INSTRUMENTS

1991 No. 1934

The Domestic Property (Valuation) Regulations 1991

Basis of valuation

2.—(1) For the purposes of the valuation under section 3 (valuation of domestic properties) of the Act, the value of any domestic property shall be taken to be the amount which, on the assumptions mentioned in paragraph (2) below, the property might reasonably have been expected to realise if it had been sold in the open market by a willing vendor on 1st April 1991.

(2) The assumptions are—

- (a) that the sale was with vacant possession;
- (b) that the interest sold was the freehold or, in the case of a flat, a lease for 99 years at a nominal rent;
- (c) that the property was sold free from any rentcharge or other incumbrance;
- (d) that the size and layout of the property, and the physical state of its locality, were the same as at the time when the valuation of the property is made;
- (e) that the property was in a state of reasonable repair;
- (f) in the case of a property the owner or occupier of which is entitled to use common parts, that those parts were in a like state of repair and the purchaser would be liable to contribute towards the cost of keeping them in such a state;
- (g) in the case of a property which has a room to which this sub-paragraph applies, that the room was not included in the property;
- (h) in the case of a property which contains (otherwise than as part of a room which, by virtue of sub-paragraph (g), is assumed not to be included in the property) fixtures to which this sub-paragraph applies, that the fixtures were not included in the property;
- (i) that the use of the property would be permanently restricted to use as a private dwelling; and
- (j) that the property had no development value other than value attributable to permitted development.

(3) Sub-paragraph (g) of paragraph (2) applies to any room of one of the following descriptions, namely, kitchen, bathroom and lavatory, which has features which—

- (a) are substantially different from those of ordinary rooms of the same description; and
- (b) are designed to make the room suitable for a use by a physically disabled person;

but nothing in that sub-paragraph shall require it to be assumed that there was not included in any property at least one room of each of those descriptions.

(4) Sub-paragraph (h) of paragraph (2) applies to any fixtures which—

- (a) are designed to make the property suitable for use by a physically disabled person; and
- (b) add to the value of the property.

(5) In paragraph (2) —

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“common parts”, in relation to a property, means any part of a building comprising the property and any land or premises which the owner or occupier of the property is entitled to use in common with the owners or occupiers of other premises in the immediate locality;

“flat” has the same meaning as in Part V of the Housing Act 1985⁽¹⁾;

“permitted development” means development—

- (a) for which planning permission is not required; or
- (b) for which an application for planning permission is not required;

“rentcharge” has the same meaning as in the Rentcharges Act 1977⁽²⁾; and

“state of reasonable repair”, in relation to a property, means such state of repair as might reasonably be expected by a prospective purchaser, having regard to the age and character of the property and its locality.

(1) 1985 c. 68.
(2) 1977 c. 30.