



FIRST TIER TRIBUNAL FOR SCOTLAND (HOUSING AND PROPERTY CHAMBER)

Notification Of Decision in relation to an application under s.28 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”)

Chamber Ref: FTS/HPC/RN/25/2877

Property: 1-2 385 Sauchiehall Street, Glasgow, G2 3HU

Parties: Callum Wyness, Jeeven Sahota, Lewis Hammerson, Paulo Halili

(“the Tenant”)

**And Planplex Limited represented by Angus Johnston, Let Us
2-2 190 West George Street, Glasgow, G2 2NR**

(“the Landlord”)

**Tribunal members: Fiona Cook (Legal member/chair) and Sara Hesp
(Ordinary member/Surveyor)**

Background:

1. The Tribunal was in relation to the property at 1-2 385 Sauchiehall Street, Glasgow, G2 3HU. The Landlord is Planplex Limited, represented by their agent, Angus Johnston, Let Us 2-2 190 West George Street, Glasgow, G2 2NR. The Tenants are Callum Wyness, Jeeven Sahota, Lewis Hammerson, Paulo Halili. The tenancy is a private residential tenancy under the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”).
2. On 28th April 2025 the Landlord’s agent served a notice on the Tenants under Section 22(1) of the 2016 Act indicating that they intended to increase the rent from £2700 per calendar month (pcm) to £3000 per calendar month as of 1st August 2025.
3. The Tenant timeously objected to that proposed increase by referring the proposed increase to Rent Service Scotland.
4. On 9th June 2025 the rent officer fixed the open market rent at £2700 per calendar month.

5. The Landlord's agent appealed the decision of the rent officer and, after review on 25th June 2025 the rent officer decided that the rent should be set at £2700 per calendar month and referred to two comparable properties that had rents of £2975 and £1500 pcm.
6. The Landlord's agent appealed that decision to the First-tier tribunal. Both parties were invited to make written representations to the Tribunal.
7. Both parties were notified that an inspection and hearing would take place and were invited to attend both the inspection and the hearing. The inspection took place at the property on 9th March 2026 at 10am. The hearing was due to take place on the same day at 11.45am. The Tenants (with the exception of Mr Hammerson) and Landlord's agent were present during the inspection and attended the hearing.

The Inspection:

8. The Tribunal attended to inspect the Property on the morning of 9th March 2026. Both parties were present during the inspection.

The Hearing:

9. Following the inspection a Hearing was held at the Glasgow Tribunal Centre, 20 York Street, Glasgow. Both parties attended.
10. The Tribunal explained the scope of the Hearing and that they could only decide in relation to the rent and therefore issues pertaining to allegations of breaches of the repairing standards and alleged breaches of the Letting Agents code of practice were not within the scope of the Tribunal's decision making.
11. Both parties had provided the Tribunal with written representations in advance of the hearing. The Tribunal asked the Landlord's agent to speak to the comparable properties he had identified and then to explain why the Tribunal should consider these properties to be appropriate comparable properties. In addition to the Tribunal asking the Landlord's agents questions about the comparable properties the Tenants were also given an opportunity to ask Mr Johnston about the comparable properties and to provide the Tribunal with additional information that was not set out in their written representations.
12. In an email prepared by the Landlord's agent and sent to the rent officer on 20th May 2025 he had referred to a number of comparable properties including the two flats immediately above the Property at 2-2 and 3-2 385 Sauchiehall Street, Glasgow as well as flats 2-1 and 3-1 at the same address and which were all also managed and let by Let Us, the Landlord's agents. The flat at 2/2 was let on 1st June 2025 for £3200 pcm and the flat at 3/2 was let at £3180 on the same date. The flats at 2/1 and 3/1 were let for £2995 pcm although the date was specified as "recently" with no specific date being provided.

13. In the same email the agent also referred to properties at Granville Street and Renfrew Street in Glasgow which were also 4 bedroom properties managed and let by the Landlords agents and situated 0.3 and 0.1 miles respectively from the Property. These had rents of £2895 in the case of Granville Street and £3200 in the case of Renfrew Street. The agents also referred the Tribunal to three other comparable properties let by other letting agents, which were all 4-bedroom properties and in close proximity to the Property being situated either 0.1 or 0.2 miles from the Property and which achieved rents of between £2750 and £2900 in June 2025.
14. During the hearing there was also a discussion about the cyclical demand on House in Multiple Occupation (HMO) properties by particularly the student population in Glasgow with the Landlord's agent referring to the information contained in the Citylets Quarterly Report which showed increases in the average rent for 4 bedroom properties across Glasgow in the 2nd and 3rd quarters of the year which he suggested supported his position that a higher rent would be achieved at the time being considered by the Tribunal as demands from students were higher between 1st June until around the second week in September each year.

Reasons for Decision:

15. Section 29 of the 2016 Act provides that, where an appeal is made to the Tribunal under Section 28(1) of the Act, the Tribunal must make an order stating that from the effective date the rent payable under the tenancy is the rent determined by the Tribunal in accordance with Section 32 of the Act. By Section 29(2) of the Act, the effective date in the present application is the first payment date falling on or after the day on which the Tribunal makes its Order.
16. Section 32 of the Act states that the determination is to be made on the basis that the property in question would be let by a willing Landlord to a hypothetical willing Tenant under a new tenancy which would (a) be a Private Residential Tenancy, (b) begin on the date on which the rent would have been increased in accordance with the rent-increase notice, had a referral to a rent officer not been made, and (c) have the same terms as the tenancy to which the referral or (as the case may be) appeal relates.
17. The provisions set out in s.31A of the 2016 Act have now been repealed and the rent-increase notice was served on the Tenant on 1st April 2025 - after that provision was repealed on 30th March 2025.
18. The Property is an HMO in a city centre location in Glasgow, close to local amenities and public transport. The property comprises a traditional sandstone tenement flat above commercial properties.

19. The property comprises a hallway, 4 bedrooms, 1 bathroom and 1 shower room and kitchen/living area extending to 114 sq. metres or thereabouts internally. The accommodation has double glazed windows and gas central heating. There is a door entry system to the property. The property is in generally in good condition and has been refurbished relatively recently but prior to this letting.
20. There is no public register of rentals in Scotland and valuation is largely by evidence of advertised rentals in the district and the application of the knowledge and experience of the Tribunal Members. The rent officer only provides the briefest of detail of comparisons used in their assessment with no specific address, style, floor area or rationale as to how their valuation is arrived at. Accordingly, the Tribunal cannot analyse the rent officer's assessment.
21. The assessment by the Tribunal is necessarily based on taking what evidence is available and adjusting for the differences in age, style, accommodation, floor area and any other relevant factors, such as location, condition, garden, garage, amenity etc., to arrive at a valuation that can be compared with that of the rent officer.
22. The Landlord's agent referred to comparable properties. The Tribunal were mindful that some of these comparable properties were let by the same agents and that some were owned by the same landlords. Not all were advertised and one (the property at Flat 2/2 385 Sauchiehall Street) was let without viewings. The Tribunal did not feel it was appropriate to consider only comparable properties being let by the same landlords and agents and therefore also considered the other properties that the agent had referred to that were let out by other letting agents in June 2025. One property was let on the same date that the rent was due to increase - the property at Granville Street and which also comprised 4 bedrooms, 2 bathrooms and a kitchen-diner and that was considered a useful comparable property.
23. Considering all the comparable properties these suggested that rental levels of £687.50 - £800 per bedroom in a 4-bedroom HMO which was well located for the city centre/University mainly in June 2025, which was the point of highest demand for student accommodation as seen in the Citylets data for Quarter 2 for 2025. The date suggests that by Quarter 3 2025 the period of highest demand has passed and there is a slight falling away of value with an average 4-bedroom property in Glasgow letting from £2733 in that quarter as opposed to £2756 in the previous quarter.
24. The Tribunal took a broad view of the market, rather than relying on the evidence of only lettings by the Landlord's agent and which were not always negotiated in the full glare of the open market and also considered that by 1st August 2025, the market for student accommodation may have been starting to drop and decided that a rent of £3000 pcm is reasonable.

Decision

25. The Tribunal determined that an open market rent for the Property compliant with the provisions of Section 32 of the Act would be £3000 per calendar month, payable with effect from the first payment date falling on or after the date of this decision.
26. The Tribunal's decision was unanimous.
27. In terms of Section 30 of the 2016 Act, the Tribunal's decision is final and cannot be appealed.

F Cook

F Cook
Chairperson
16th March 2026