



**PRIVATE RENTED HOUSING PANEL**

**HOUSING (SCOTLAND) ACT 1988 SECTION 25(1)**

**Register Of Rents Determined Under Statutory Assured Tenancies**

**REFERENCE NO.**

RAC/DD1/A61

**APPLICATION RECEIVED**

9 September 2009

**ADDRESS OF PREMISES**

R/2/1, 48 Union Street, Dundee, DD1 4BE

**TENANT**

Mr D Burns

**NAME AND ADDRESS OF LANDLORD**

Kusum International Ltd.

**AGENT**

Lickley Proctor Lettings  
58 Bell Street  
Dundee  
DD1 1HF

**RENTAL PERIOD**

Monthly

**DATE TENANCY COMMENCED**

March 1999

**DESCRIPTION OF PREMISES**

Second floor tenement flat above commercial property circa 1900, dated internally and comprising three rooms, living kitchen and bathroom.

Gross internal floor area = 54 square metres.

**SERVICES PROVIDED**

None

**COMMITTEE MEMBERS**

**CHAIRMAN**  
**PROFFFESSIONAL MEMBER**  
**LAYMEMBER**

Mrs J Lea LLB MBA MSc  
Mr D Godfrey ARICS  
Mr J Wolstencroft

**PRESENT RENT**

**£ 3500.00**

**RENT DETERMINED**

**£ 4230.00**

**DATE CONSIDERED**

9 November 2009

**DATE DETERMINATION TAKES EFFECT**

28 February 2010

**J Lea**

Chairman of Private Rented Housing Committee

9/11/09

Date



## **Statement of decision of the Private Rented Housing Committee under Section 25 of the Housing (Scotland) Act 1988**

**prhp Ref: RAC/DD1/A61**

**Re : Property at R/2/1, 48 Union Street, Dundee ("the Property")**

**The Parties:-**

**Mr D Burns ("the Tenant")**

**Kusum International Ltd represented by their agent Lickley Proctor Lettings, 58 Bell Street, Dundee ("the Landlord")**

**9 November 2009**

This is an application by the Tenant for a determination of rent payable under Section 24 of the Housing (Scotland) Act 1988.

The Tenancy is an assured tenancy. On 20 August 2009 the Landlord served on the Tenant an AT2 notice under Section 24 of the Housing (Scotland) Act 1988, seeking an increase in rental to £4500 per annum. By application received on 9 September 2009 the Tenant referred the matter to the Rent Assessment Committee for a Determination of Rent under Section 24(3) of the said Act.

### **Inspection**

The Committee carried out an inspection on 9 November 2009. The Tenant Mr D Burns was present. The Landlord was represented by Mr Murray of Lickley Proctor Lettings.

### **Hearing**

There was no hearing as neither party had requested one.

### **Description**

The property is a three apartment 2<sup>nd</sup> floor flat with an internal floor area of 54 square metres, built circa 1900 located above commercial property. It is a traditional tenement property in the city centre and is in good condition externally. There is a security entry system although this does not appear to be in full working order. The property is dated internally but has recently been rewired. The bathroom is very small with an old bath which is not full size and the wash hand basin has a waste pipe which empties into the bath. The enamel on the bath is not in good condition. There is no extractor fan in the bathroom and the only window is to the

stairwell. There is no heating in the property apart from the electric heaters provided by the Tenant. There are open fire places in three of the rooms. There is no kitchen in the property, the sink and basic units which are in the room which is used as a kitchen were provided by the Tenant. The Tenant also replaced the hot water tank and put in an immersion heater. The property is wind and water tight and has had some redecoration done by the Landlord following the rewiring of the property. The flat is in a much sought after central area of Dundee with excellent amenities close by.

### **Documentation**

The Committee had the following documentation before them:-

1. Form AT4 completed by the Tenant.
2. Form AT2 completed by the Landlord.
3. Written representations from the Landlord including a list of comparables and receipts for decoration and rewiring work.

### **DECISION**

The Committee found the list of comparables provided by the Landlord to be useful. The Committee noted that the rents on the Landlord's list for centrally located two bedroom flats varied from £5200 per annum to £7200 per annum. Given that the second bedroom in the flat under consideration is really no more than a box room, the Committee considered that the market rent for a two bedroom flat of a similar size and location would be £5700 per annum. The Committee considered that this figure would require to be reduced by £1000 per annum to take account of the fact that the property does not have double glazing, central heating, a modern kitchen or modern bathroom. The Committee considered that the rent would require to be further reduced to take account of the fact that, ignoring any Tenant's improvements, the property does not have any kind of kitchen, has a very dated and small bathroom and a lack of proper heating and hot water. The Committee accordingly further reduced the rent by 10% to take account of this.

The Committee noted that the Rent Assessment Committee had fixed a rent of £3500 three years ago and the Committee considered that rents would have increased by approximately 15% during this period. The Committee also noted that the property had been completely rewired since the last inspection which had improved the condition of the property.

In the whole circumstances the Committee considered that a market rent for the property in its present condition would be £4230 per annum.

Signed .....  
Chairperson

**J Lea**

..... Date.....

17/11/09