



PRIVATE RENTED HOUSING PANEL

RENT (SCOTLAND) ACT 1984

Notification Of Decision By The Private Rented Housing Committee

REFERENCE NO:	OBJECTION RECEIVED	OBJECTION
RAC/G11/631	31 March 2008	Landlord

ADDRESS OF PREMISES

1/2, 4 Meadow Road, Glasgow, G11 6HX

TENANT

Ms M Hansen

NAME AND ADDRESS OF LANDLORD	AGENT
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Partick Housing Association 10 Mansefield Street Glasgow G11 5QP	
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DESCRIPTION OF PREMISES

First floor tenment flat C.1900 with gas central heating and double glazing comprising 3 rooms, galley kitchen and dark bathroom.

SERVICES PROVIDED

None

COMMITTEE MEMBERS

CHAIRMAN	Mrs E J Docherty
SURVEYOR	Mr G Campbell FRICS
HOUSING PANEL MEMBER	Mrs S Brown

FAIR RENT	DATE OF DECISION	EFFECTIVE DATE
£ 5,400.00 p.a.	22 May 2008	23 April 2008

E J Docherty

Chairman of Private Rented Housing Committee

22.5.08.
Date

PRIVATE RENTED HOUSING PANEL OF THURSDAY 22ND MAY 2008

STATEMENT OF REASONS

PROPERTY

First floor right hand or centre house (1/2) at 4 Meadow Road, Partick, Glasgow, G11 6HX (hereinafter referred to as "the flat")

INTRODUCTION

This is an application to the Private Rented Housing Panel ("the Committee") for the determination of the fair rent of the flat under the Rent (Scotland) Act, 1984 ("the 1984 Act")

The landlords of the flat are Partick Housing Association Ltd., 10 Mansfield Street, Glasgow, G11 5QP. The tenant of the flat is Ms. Marie Hansen. The annual rent for the flat was last registered with effect from 23rd April 2005 at the figure of £2292 (£191 per calendar month). On 25th January 2008, the landlords applied to have this annual rent increased to £2610.12 (£217.51 per calendar month). The Rent Officer determined a rent for the flat at the figure of £210.51 per month (£2526.12 per annum) with effect from 23rd April 2008.

This Application has been submitted by the landlords.

INSPECTION

The Committee inspected the flat on the morning of 22nd May 2008. The tenant was present throughout the inspection. On behalf of the landlords, Ms. Lyn Donnelly, Housing Officer and Ms. Alison Phillips, Customer Services Assistant, were also in attendance

The flat lies on the first floor of a traditional red sandstone four storey tenement at the corner of Meadow Road and Dumbarton Road in Partick. There is a shop and a storeroom below the flat.

The roof is tiled and the stonework would appear to have been cleaned sometime ago. There is a security door on the close. At the time of the inspection, the glass in the front door was dirty. However, the close, stairs and landings were clean and well decorated. There are three houses on each of the three upper floors.

When approaching from the stairs, the flat is the first right hand house on the first floor landing. It is a corner flat with a good sized L-shaped hall. The living room lies at the corner of the flat with windows looking onto both Dumbarton Road and

Meadow Road. The larger bedroom and kitchen look onto Meadow Road and the second bedroom looks onto Dumbarton Road. There is an internal bathroom.

The living room is a good sized room with a three window bay projection overlooking Dumbarton Road and a single window overlooking Meadow Road. The windows are double glazed. The tenant advised that she had moved into the flat about 18 years ago after the property had been refurbished. There are two smallish double radiators in this room and the tenant also advised that in her view these were insufficient to heat the room in winter. At the time of the inspection the room was comfortable and dry.

The kitchen is a long narrow room, best described as a galley kitchen. There is one double glazed window overlooking Meadow Road. The gas Combi boiler is fitted to the external wall. The units are the original fittings installed at the time of the refurbishment and are in fair condition.

The double bedroom overlooking Meadow Road is also a good sized room with one double glazed window and one radiator. There is one cupboard in the room. The room lies partly over the close and the tenant advised that the noise from the close and in particular the slamming of the close door was very disturbing. There was evidence of water damage on the ceiling of this room. The tenant explained that there have been three separate incidents of leakages from the flat above. She has already incurred the cost of redecoration in the two earlier cases and is now reluctant to incur any further expense.

The second bedroom has two windows overlooking Dumbarton Road and could comfortably accommodate a double bed. The windows are similar to the other windows in the flat. There is a radiator in this bedroom and one cupboard.

The internal bathroom is fairly small and has a three piece white suite installed at the time of the refurbishment. The tenant has fitted an electric shower over the bath. The fittings are in a reasonable condition.

The wiring in the flat is modern. There are sufficient radiators throughout the flat. The water is also heated by the gas Combi boiler.

The tenant advised the Committee that below the living room and kitchen of the flat there is a storage facility used for scrap bathrooms and this generates a great deal of noise and dirt in the flat.

The landlords arrange for the cleaning of the close and stairs without any additional service charge.

The common backcourt is smallish and wholly hard landscaped. At the time of the inspection it was untidy.

Parking for the flat is on-street and likely to be a problem. The locality is industrial, commercial and residential with good shopping and transport facilities.

DECISION

No Hearing had been requested by the parties.

The Committee in the first instance considered the written documentation before them namely :-

1. RRI Application dated 25th January 2008.
2. Landlords' Objection dated 17th March 2008.
3. Tenant's representations dated 2nd April 2008.
4. Rent Register pages.
5. Clerk's list of Comparables.

The Committee's duties in terms of s.48 of the 1984 Act in determining the fair rent of a regulated tenancy is "to have regard to all the circumstances (other than the personal circumstances), and in particular to apply their knowledge and experience of current rents of comparable property in the area, as well as having regard to the age, character and locality of the dwelling-house and to its state of repair....". Para (2) then provides that "For the purpose of the determination it shall be assumed that the number of persons seeking to become tenants of similar dwelling-houses in the locality...is not substantially greater than the number of such houses in the locality which are available for letting..." This provision is sometimes known as "the scarcity deduction".

The Committee have therefore to consider firstly, what is the level of current rents of comparable properties in the area and secondly is a scarcity deduction appropriate in this case.

The Committee from internet sources, local letting agencies and local newspapers have themselves identified a very great number of two bedroom flats both furnished and unfurnished which are at present available for rent in the West end of Glasgow. The rent being sought for two flats each of two bedrooms is £550 per month (£6600 per annum). One of these flats is in Dumbarton Road and the other in White Street and therefore in close proximity to the flat. The Committee recognise that these are the asking rents and may not necessarily be the achieved rents, but the Committee are of the opinion that the figures do indicate current rents of comparable properties in the area.

The Committee appreciate that these flats are likely to be furnished and agreed that a reduction of £75 per month for the furniture and white goods is appropriate.

The Committee also agreed that a further reduction of £25 per month should be allowed for the noisy location of the flat and the disturbance and inconvenience caused by the use being made of the storeroom below the flat.

The Committee agreed therefore that the monthly market rent of the flat is £450 (£5400 per annum).

The Committee then considered the matter of scarcity and agreed that it is apparent that there are now many properties for rent in Glasgow and the supply of these properties adequately meets the demand for same. Accordingly at this time, a scarcity deduction from the market rent is inappropriate.

In conclusion, the Committee agreed that the fair rent for the flat is £5400 per annum (£450 per month) with effect from 23rd April, 2008.

In reaching this decision, the Committee has had regard to all the circumstances of the 1984 Act.

Chairman

E J Docherty

Date

10. VI .08