



PRIVATE RENTED HOUSING PANEL

RENT (SCOTLAND) ACT 1984

Notification Of Decision By The Private Rented Housing Committee

REFERENCE NO:	OBJECTION RECEIVED	OBJECTION
RAC/G20/720	8 December 2009	Tenant

ADDRESS OF PREMISES

3/2, 74 Sanda Street, Glasgow, G20 8PS

TENANT

Mr F McDermott

NAME AND ADDRESS OF LANDLORD	AGENT
Scottish Prudential Investment Association	Hacking & Paterson 1 Newton Terrace Glasgow G3 7PL

DESCRIPTION OF PREMISES

Third floor traditional tenement flat circa 1900 with dated double glazing and gas central heating living room,two bedrooms,living kitchen and showeroom.

Floor area 76 square metres or thereby

SERVICES PROVIDED

None

COMMITTEE MEMBERS

CHAIRMAN	J Taylor LLB Dip LP NP
SURVEYOR	G Campbell FRICS
HOUSING PANEL MEMBER	T Keenan

FAIR RENT	DATE OF DECISION	EFFECTIVE DATE
£4100.00 p.a.	8 February 2010	8 February 2010

J Taylor

Chairman of Private Rented Housing Committee

18th February 2010

Date



STATEMENT OF REASONS

in connection with

INSPECTION HELD ON 8th February 2010

of the property

Flat 3/2, 74 Sanda Street, Glasgow

1. THE PARTIES

The landlords are Scottish Prudential Investment Association Limited and they are represented by Hacking and Paterson, 1 Newton Terrace, Glasgow, G3 7PL.

The tenant is Mr F McDermott. He has been a tenant of the property since 28th November 1990. His tenancy is a registered tenancy in terms of the Rent (Scotland) Act 1984.

2. BACKGROUND

The current rent is £3500 per annum. The landlords applied for the rent to be increased to £4500. The Rent Officer registered a rent of £4100 per annum with effect from 10th November 2009. The Tenant referred the determination to the Private Rented Housing Panel ('PRHP').

3. THE INSPECTION

The committee inspected the property, which is an unimproved third floor flat in a four storey traditional blonde sandstone tenement. The tenement has a tiled roof.

The accommodation comprises three rooms, living kitchen, with small scullery off, and shower room.

The floor area of the property is approximately seventy six square metres.

The kitchen and bathroom fittings had been supplied by the tenant. Also the tenant had obtained a grant from the Scottish Executive to install central heating in the property some time ago. Double glazing was installed in the property, probably over twenty years ago.

The tenement had been refurbished in the 1980's and a communal door entry system was installed at that time. There is a communal area at the rear of the tenement and the bin storage area is located here. The property is conveniently situated for public transport and local services.

No services are provided by the landlord. The tenant pays for the close cleaning, as required.

4. THE HEARING

The hearing was held in the property after the inspection. The tenant and his wife were present. Neither the landlord nor their agents attended either the inspection or the hearing.

The tenant advised the committee that he was very concerned at the rate of increase in the rent of the property. He explained that the rent had increased by 50% at the time of the last increase and now the landlord is seeking a similar increase. He advised the committee that the property at 2/R, 115 Oran Street, Glasgow is close to his own property and it is a very similar property. The Tenant advised that he pays for the close to be cleaned and this service is not included in the rent.

5. THE DECISION

The committee had the following documents before them:-

- A copy of form RR1, the landlord's application for registration of the rent.
- Written representations from the tenant which state:- *'With reference to your letter dated 10th November 2009, notifying me of recent rent increase for our flat at 3/2, 74 Sanda Street, Glasgow, I object to this proposal. The last rent increase was almost 50%, now you are proposing a further 25% increase. Also I have a shower room, not a bath room, where does a bath go in such a small space? If this rent gets passed we will be paying £500 per month inclusive of council tax, which is pretty high for two pensioners who do not receive any benefits.'*
- List of comparable rents, provided by the clerk:-

Address	Accommodation	Description	Effective date	Registered Rent
3/2, 6 Mingary Street, Glasgow G20	Living room, 2 bedrooms, living kitchen and bathroom	Second floor traditional tenement flat	9 th April 2009	£5100
0/1, 113 Wilton	Living room, 2	Ground floor	8 th May 2009	£5040

Street, Glasgow, G20	bedrooms, dining kitchen and bathroom	traditional tenement flat		
2/R, 115 Oran Street, Glasgow, G20	Living room, 2 bedrooms, dining kitchen and bathroom in need of upgrading	Second floor traditional tenement flat	8 th April 2009	£4920

The committee considered the documents provided. Separately the committee had obtained details of a number of other similar sized properties available to lease in the area, from news paper advertisements and the internet. The rents of these properties ranged from £550 to £600 per month. These properties were in a slightly better location, being largely located closer to Great Western Road as opposed to Maryhill. These properties were improved properties and included the provision of furnishings, appliances, modern bathroom and kitchen and floor coverings. Whilst these properties were believed to be a similar size to Flat 3/2, 74 Sanda Street, Glasgow it was suspected that the internal layout would have been modernised to create a larger bathroom and/ or kitchen.

The committee considered this evidence and decided that the market rent of an improved property comparable to Flat 3/2, 74 Sanda Street, Glasgow was £ 6600 per annum (£550 per month). The committee acknowledged that an adjustment was required to reflect the fact that the property (Flat 3/2, 74 Sanda Street, Glasgow) was unimproved, it has a small shower room and not a bathroom, and further there are no modern bathroom or kitchen fitments, appliances, decoration or floor coverings being supplied by the landlords. They considered that a deduction of £2500 per annum was reasonable to reflect these differences.

The committee were mindful of the terms of section 48(1) of The Rent (Scotland) Act 1984, which requires the committee 'to have regard to all of the circumstances (other than 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 in question and to its state of repair and, if any furniture is provided for use under the tenancy, and to the quantity, quality and condition of the furniture'. Also section 48(2) which requires them to 'assume that the

number of persons seeking to become tenants of similar dwelling- houses in the locality on the terms (other than those relating to rent) of the regulated tenancy is not substantially greater than the number of such dwelling- houses which are available to let on such terms.'

The committee acknowledged that there is a plentiful supply of similar properties to rent in the area and therefore there is no scarcity of supply of such properties at this time.

After consideration of all these factors the committee decided that the fair rent for the property was £4100 per annum.

In reaching this decision the committee have had regard to all the considerations required to be taken into account in terms of Section 48 of the Rent (Scotland) Act 1984.

This decision takes effect from the 8th day of February Two thousand and ten.

J Taylor

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Chairperson, 18th February 2010