

**PRIVATE RENTED HOUSING PANEL****RENT (SCOTLAND) ACT 1984****Notification Of Decision By The Private Rented Housing Committee**

REFERENCE NO:	OBJECTION RECEIVED	OBJECTION
RAC/G42/728	25 January 2010	Landlord

ADDRESS OF PREMISES

1/L, 27 Daisy Street , Glasgow, G42 8JN,

TENANT

Mr Brown

NAME AND ADDRESS OF LANDLORD

Lanero Property Co Ltd

AGENT

Hacking & Paterson
1 Newton Terrace
Glasgow
G3 7PL

DESCRIPTION OF PREMISES

First floor flat in traditional sandstone tenement C.1890, refurbished in 1994, comprising 2 rooms, dark kitchen and narrow bathroom. With gas central heating and double glazing.

Gross internal floor area is approximately 40 sq. m.

SERVICES PROVIDED

None

COMMITTEE MEMBERS

CHAIRMAN
SURVEYOR
HOUSING PANEL MEMBER

J Taylor LLB Dip LP NP
A English FRICS
S Brown

FAIR RENT	DATE OF DECISION	EFFECTIVE DATE
£ 3,780.00 p.a.	31 March 2010	31 March 2010

J Taylor

Chairman of Private Rented Housing Committee

12th April 2010

Date



STATEMENT OF REASONS

in connection with

INSPECTION AND HEARING HELD ON 31st March 2010

In relation to the property

Flat 1/L, 27 Daisy Street, Glasgow, G42 8JN

1. THE PARTIES

The Landlords are Lanero Property Co Limited and they are represented by Hacking and Paterson, 1 Newton Terrace, Glasgow, G3 7PL.

The Tenant is Mr Arthur M Brown. He has been a resident of the property for 75 years and a tenant of the property since July 1981. His tenancy is a registered tenancy in terms of the Rent (Scotland) Act 1984.

2. BACKGROUND

The current rent is £3300 per annum. The landlords applied for the rent to be increased to £4500. The Rent Officer registered a rent of £3500 per annum with effect from 11th January 2010. The Landlords referred the determination to the Private Rented Housing Panel ('PRHP').

3. THE INSPECTION

The committee inspected the property, which is an improved first floor flat in a four storey traditional blonde sandstone tenement, which dates from circa 1890. The tenement has a tiled roof and a communal door entry system. Both the tenement and the interior of the property were refurbished and upgraded in 1994.

The accommodation comprises lounge, small double bedroom, dark internal kitchen (formed from two former bed recesses) and narrow bath room. The kitchen, bathroom fittings and double glazing in the

property were installed by the Landlords at the time the property was refurbished. The floor area of the property is approximately forty square meters.

There is gas central heating in the property which was installed with the benefit of a grant provided to the Tenant by the Scottish Executive.

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.

4. THE HEARING

The hearing took place in the property after the inspection. The Tenant attended. Neither the Landlords nor the Landlords' agents attended.

The Tenant advised the committee that he had no knowledge of capital values or rents of similar properties in the area.

5. THE DECISION

The committee had the following documents before them:-

- A copy of form RR1, the Landlords' application for registration of the rent.
- Written representations from the Landlords' agents which state:- 'We refer to case reference no RAC/G12413 for property at 0/2, 12 Cresswell Street, Glasgow when the Rent Assessment Committee found that there was no scarcity and were of the opinion that the market is presently in balance. To this end, we would expect that this be taken into consideration and a higher rent registered, in keeping with market rent.'
- List of comparable rents, provided by the clerk:-

Address	Accommodation	Description	Effective date	Registered Rent
2/1, 272 Allison Street, Glasgow	2 rooms, kitchen and bathroom	Second floor traditional tenement flat	1 st December 2008	£2840
0/1, 8 Dixon Road, Glasgow, G42 8AY	Living room, double bedroom, dining kitchen and shower room	Ground floor traditional tenement flat	26 th March 2009	£3840

The committee considered the Tenant's submissions at the hearing and 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 £300 to £425 per month. These properties were one bedroom properties and tended to have one double bedroom. They were provided with carpets and curtains and the properties at the higher end of the range were also furnished.

The committee considered this evidence and reflected that the property Flat 1/L, 27 Daisy Street, Glasgow had a small single bedroom and an internal dark kitchen. Therefore they decided that the market rent of comparable to Flat 1/L, 27 Daisy Street, Glasgow was £ 350 per month (£4200 per annum). The committee acknowledged that an adjustment was required to reflect the fact that the property (Flat 1/L, 27 Daisy Street, Glasgow) was unfurnished and no decoration or floor coverings were supplied by the landlords. They considered that a deduction of £35 per month (£420) 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 £3780 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 31st day of March Two thousand and ten.

J Taylor

Chairperson, 5th April 2010