



PRIVATE RENTED HOUSING PANEL

RENT (SCOTLAND) ACT 1984

Notification Of Decision By The Private Rented Housing Committee

REFERENCE NO:	OBJECTION RECEIVED	OBJECTION
RAC/G41/751	21 May 2010	Landlord

ADDRESS OF PREMISES

1/2, 18 Edgemont Street, Glasgow, G41 3EN,

TENANT

Ms D MacKay

NAME AND ADDRESS OF LANDLORD

Mr Douglas Reid

AGENT

Macfie & Co.
5 Cathkinview Road
Glasgow
G42 9EA

DESCRIPTION OF PREMISES

First floor traditional tenement flat circa 1900 comprising two rooms, kitchen and bathroom

SERVICES PROVIDED

None

COMMITTEE MEMBERS

CHAIRMAN
SURVEYOR
HOUSING PANEL MEMBER

Mr R Handley LLB
Mr A English FRICS
Mr S Campbell

FAIR RENT

£ 4080.00 p.a.

DATE OF DECISION

5 August 2010

EFFECTIVE DATE

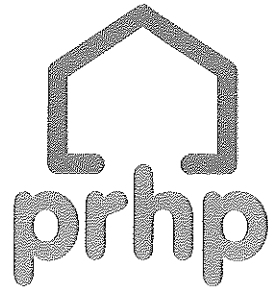
5 August 2010

R Handley

Chairman of Private Rented Housing Committee

26 AUGUST 2010

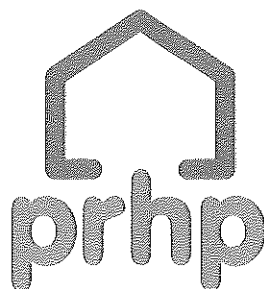
Date



PRIVATE RENTED HOUSING COMMITTEE

STATEMENT OF REASONS

PROPERTY: 1/2, 18 EDMONT STREET, GLASGOW



PRIVATE RENTED HOUSING COMMITTEE

HELD ON: 5 AUGUST 2010

PROPERTY: 1/ 2, 18 EDGEMONT STREET, GLASGOW, G41 3EN

STATEMENT OF REASONS

Introduction

1. This is a reference to the Private Rented Housing Panel ("the PRHP") for the determination of a fair rent under the Rent (Scotland) Act 1984 by the landlord, Douglas Reid per Macfie & Co, 5 Cathkinview Road, Glasgow in respect of the property at 1/ 2 18 Edgemont Street, Glasgow ("the dwellinghouse"). The tenant is Ms D MacKay.
2. The original rent paid by the tenant was £3,200 per year. The landlord applied for an annual rent of £4,000.00. The Rent Officer determined a rent of £3,650.00 per year.

The Documentation

3. The Committee had the following documents before it: the landlord's representations and the Rent Register documents. We also had a Statement of Reasons in respect of property at flat 2/2, 188 Albert Drive, Glasgow.

The Inspection

4. An inspection of the dwellinghouse was fixed for 10.00am on 5 August 2010 and the Committee duly attended at that time. Mr John Walker (from Macfie & Co) also attended the dwellinghouse at 10.00am. However, in spite of ringing the door bell of the dwellinghouse, no one answered the door and the Committee were unable to gain access to the dwellinghouse.
5. A Hearing was scheduled for 11.45am but neither party attended the Hearing venue. However Mr Walker faxed some documents to the Hearing Venue. The Committee was satisfied that intimation of the date and time of the inspection and the Hearing had been properly intimated to the

parties. Consequently we determined that it was appropriate to determine the application on the evidence available.

The Dwellinghouse

6. The dwellinghouse is located at 1/2, 18 Edgemont Street in the Shawlands area of Glasgow and has two rooms a kitchen and a bathroom and is in a four storey tenement block. The walls are sandstone and the roof is tiled. The dwellinghouse has modern timber windows. It appeared to the Committee that the tenement block was generally well maintained.
7. The dwellinghouse is located close to shops and schools and although on-street parking was limited, public transport was readily available nearby.

The Hearing

8. As indicated neither party attended the Hearing venue although, as indicated, the landlord's agents faxed submissions and details of properties located in similar areas to that of the dwellinghouse.

Decisions and Reasons

9. Section 48 of that Act provides that:

(1) In determining for the purposes of this part of the Act what rent is or would be a fair rent under a regulated tenancy of a dwellinghouse, it shall be the duty of the rent officer or, as the case may be, of the rent assessment committee, subject to the provisions of this section, to have regard to all 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 dwellinghouse in question and to its state of repair and, if any furniture is provided for use under the tenancy, to the quantity, quality and condition of the furniture.

(2) For the purposes of the determination it shall be assumed that the number of persons seeking to become tenants of similar dwellinghouses in the locality on the terms (other than those relating to the rent) of the regulated tenancy is not substantially greater than the number of such dwellinghouses in the locality which are available for letting on such terms.

10. In terms of section 48 of the Rent (Scotland) Act 1984, the Committee is required to fix a rent that is or would be a fair rent under a regulated tenancy.
11. The Committee noted that no service charge was made and no services provided.

12. The Committee considered that to establish a fair rent it was appropriate to compare open market rents and thereafter review what might be an appropriate deduction for scarcity.
13. In regard to the property at 2/2, 188 Albert Drive, Glasgow, we noted that this property was a traditional second floor tenement flat which had three rooms. This property was unimproved with no modern bathroom or kitchen fittings, appliances, double glazing decoration or floor coverings. The Committee in that case took account of these circumstances and made an appropriate deduction and found that a fair rent for that property was £3,420 per year.
14. We had before us details of a one bedroom flat in Edgemont Street which was available to rent for £5,940 per year. However this flat was centrally heated and had been totally refurbished. It had high quality fixtures and fittings throughout. The windows, kitchen and bathroom were new. Similarly a one bedroomed flat in Woodford Street, Glasgow was available for an annual rent of £5,940 per year. This flat had also been refurbished and had new kitchen and bathroom appliances. Although this property did not have central heating it was furnished.
15. Given that the Committee did not access the dwellinghouse and were unable to inspect it, we had some difficulties in determining a fair rent. In his letter (faxed to the Hearing Venue) Mr Walker quite fairly accepted that it was safe to assume that the dwellinghouse would require some improvement. This was consistent with our view. From its own experience, knowledge and from the information available in the Property Departments of local Estate Agents, the Committee was of the opinion that a fully furnished two room apartment would be available for rent of around £475 per month ("the market rent").
16. The Committee was of the opinion that there was minimal scarcity in relation to properties similar to the dwellinghouse and in a similar location. This was demonstrated by the number of similar properties available for rent in the area.
17. However the Committee considered that a number of deductions should be made to take account of various factors,

Thus:

Market rent (per month)	£500
Less allowance – modernisation	£50
Less allowance – furniture	£50
Less allowance – central heating	£25
Less allowance – market resistance to a bare house*	£35
	<u>£160</u>
	<u>£340</u>

* The Committee were of the opinion that there is a good supply of prospective tenants who would be willing to supply their own furniture for

a part furnished house (the landlord providing carpets and white goods). However, given the good supply of part furnished houses to let there would be few tenants who would be prepared to carpet a house at their own expense without receiving some reduction in rent level. The committee are of the opinion that a further deduction of approximately 10% from the net rent was appropriate.

18. Taking into account all the circumstances, which the Committee is required to take into account, the Committee concluded that a fair rent for the dwellinghouse would be £4,080 per year.

..... **R Handley** Chairman

..... 26 AUGUST 2010 Date