



PRIVATE RENTED HOUSING PANEL

RENT (SCOTLAND) ACT 1984

Notification Of Decision By The Private Rented Housing Committee

REFERENCE NO:	OBJECTION RECEIVED	OBJECTION
RAC/G42/786	9 December 2010	Landlord

ADDRESS OF PREMISES

3/M, 29 Bolton Drive, Glasgow, G42 9DX

TENANT

Mrs Jeffries

NAME AND ADDRESS OF LANDLORD	AGENT
-------------------------------------	--------------

Redpath Bruce Property Management 103 West George Street G2 2DQ	
---	--

DESCRIPTION OF PREMISES

Third floor traditional tenement flat circa 1900 comprising three rooms, scullery kitchen and bathroom.

Gross internal floor area = 64 square metres

SERVICES PROVIDED

None

COMMITTEE MEMBERS

CHAIRMAN	Mrs J Taylor LLB Dip LP NP
SURVEYOR	Mr M Links FRICS
HOUSING PANEL MEMBER	Mr C Harvey MA

FAIR RENT	DATE OF DECISION	EFFECTIVE DATE
£ 3850.00 p.a.	2 February 2011	2 February 2011

J Taylor

Chairman of Private Rented Housing Committee

Date

2/2/11



STATEMENT OF REASONS

in connection with

INSPECTION HELD ON 2nd February 2011

In relation to the property

Flat 3/M, 29 Bolton Drive, Glasgow, G42 9DX

1. THE PARTIES

The Landlords are Fleminton & Highburgh Trust and they are represented by Redpath Bruce, 103 West Regent Street, Glasgow, G2 2DQ. The Tenant is Mrs Mae Jeffries who has been a tenant of the property for 47 years. Her tenancy is a registered tenancy in terms of the Rent (Scotland) Act 1984.

2. BACKGROUND

The current rent is £2850 per annum. The landlords originally applied for the rent to be increased to £2875 and subsequently advised that this figure was incorrect and the correct figure should have been £3150. The Rent Officer registered a rent of £2875 per annum with effect from 25th November 2010. The Landlords referred the determination to the Private Rented Housing Panel ('PRHP').

3. THE INSPECTION

The committee inspected the property, which is third (top) floor flat in a four storey traditional red sandstone tenement, which dates from circa 1900. The tenement has a tiled roof and a communal door entry system. The tenement had been refurbished and upgraded in the past.

The property is a traditional flat. The accommodation would originally have been described as comprising two rooms, kitchen, scullery and bathroom. The tenant and her husband use the two rooms as living rooms and have retained the small scullery.

There is no central heating in the property. The double glazing throughout the property was installed by the Landlord over ten years ago. The floor area of the property is approximately 64 square meters. There is a communal area at the rear of the tenement which has been landscaped 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

No hearing had been requested.

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 that in the original application they had made to the rent registration service they had requested an increased rent of £2875 for the property. They explained that this was an error on their part and the increased rent request should have been £3150 as the rent for the property had been £2850 since 2007.
- List of comparable rents, provided by the clerk:-

Address	Accommodation	Description	Effective date	Registered Rent
Flat 0/1, 13 Hampden Terrace, Glasgow	Living room, 2 bedrooms, kitchen and bathroom (101 sq m)	Ground floor traditional tenement flat	9 th July 2010	£4350
3/1, 22 Lochleven Road, Glasgow	2 rooms, kitchen and bathroom (63 sq m)	Top floor traditional tenement flat	28 th May 2010	£3750
2/2, 26 Battlefield Gardens, Glasgow	3 rooms, kitchen and bathroom (90 sq m)	Second floor traditional tenement flat	13 th May 2010	£4300
1/1, 165 Stanmore Road, Glasgow, G42 9AN	Living room, 3 bedrooms, living kitchen and very small bathroom. (128 sq m)	First floor traditional flat	4 th March 2010	£5400

The committee considered the documents provided. Separately they 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 £ 425 to £ 550 per month. These properties were generally provided with carpets and curtains and the properties at the higher end of the range were also furnished. The committee considered this evidence and decided that the market rent of comparable to Flat 3/M, 29 Bolton Drive, Glasgow was £ 425 per month (£ 5100 per annum).

The committee considered the comparable rental evidence provided by the clerk and considered that the property 3/1, 22 Lochleven Road, Glasgow was directly comparable. It was situated in a similar area, was a very similar size and accommodation and was unimproved and the property did not have central heating. The only material difference being that the property 3/1, 22 Lochleven Road, Glasgow had partial double glazing. The committee acknowledged that the rent for the property 3/1, 22 Lochleven Road, Glasgow had been determined using a base market rent of £5100, which they considered was still correct, given the market evidence mentioned. However an adjustment was required to reflect the fact that flat 3/M, 29 Bolton Drive, Glasgow has full double glazing whereas flat 3/1, 22 Lochleven Road, Glasgow had partial double glazing. They considered that an addition of £100 per annum was reasonable to reflect this difference.

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 £3850 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 2nd day of February Two thousand and eleven.

..... **J Taylor**

Chairperson, 7th February 2011