

**RENT ASSESSMENT PANEL FOR SCOTLAND**

**HOUSING (SCOTLAND) ACT 1988 SECTION 34 (1)  
REGISTER OF RENTS DETERMINED UNDER SHORT ASSURED TENANCIES**

**REFERENCE NO.**  
RAC/G40/S29

**APPLICATION RECEIVED**  
25 October 2006

**ADDRESS OF PREMISES**  
302 b London Road, Glasgow, G40 1PN

**TENANT**  
Mr A Cheshire

**NAME AND ADDRESS OF LANDLORD/AGENT**  
1-2 Let, 104 Bellgrove Street, Glasgow, G31 1AA

**RENTAL PERIOD**  
12 Months

**DATE TENANCY COMMENCED**  
9 August 2006

**DESCRIPTION OF PREMISES**  
Ground floor tenement flat circa 1970 with two electric storage heaters comprising two rooms, kitchen and bathroom.

**SERVICES PROVIDED**  
None

**COMMITTEE MEMBERS**

<b>CHAIRMAN</b>	Mrs J Grant-Hutchison LLB Dip ICEI NP
<b>PROFESSIONAL MEMBER</b>	Mr G Campbell FRICS
<b>LAY MEMBER</b>	Mrs C Anderson

**PRESENT RENT** £ 395 p.c.m.

**RENT DETERMINED BY RAC** £ 375 p.c.m.

**DATE CONSIDERED**  
12 December 2006

**EFFECTIVE DATE OF NEW RENT**  
25 October 2006

**J Grant-Hutchison**

**Chairman of the Rent Assessment Committee**

12/12/06.....DATE

## **RENT ASSESSMENT COMMITTEE**

**Held on:** Tuesday, 12 December, 2006

**Property:** The ground floor right flatted dwellinghouse at 302b London Road, Glasgow G40 1PN (hereinafter referred to as "the dwellinghouse")

### **STATEMENT OF REASONS**

#### **Introduction**

This is a reference to the Rent Assessment Committee for the determination of rent under the Rent (Scotland) Act 1988 on behalf of the Tenant of the dwellinghouse, Mr Andrew Cheshire. The Landlord is Eurovision International Limited, having a place of business at 25 Bentley Way, Stanmore, Middlesex HA7 3RR. The Landlord's agents are 1-2 Let, of 104 Bellgrove Street, Glasgow G31 1AA. The Tenant of the dwellinghouse had been paying rent at the rate of £4,740.00 *per annum*. The Tenant has proposed a decrease in rent to a figure of £4,500.00 *per annum*. The reference arises from the dissatisfaction expressed on the part of the Tenant.

#### **The Dwellinghouse**

The Committee inspected the Dwellinghouse on the morning of 12 December, 2006. There was no representation from the Landlord or their agents.

##### (i) The Exterior:

The Dwellinghouse is the ground floor right flatted dwellinghouse in a four storey tenement which was built circa 1975. The building is of buff brick. The roof is tiled. The gutters and downpipes other than one that was overflowing were in reasonable condition. The timber windows are single glazed. There is a door entry system which at the date of inspection was not working. There is an open communal area with open car parking and was in a neat and tidy condition. The factoring services, communal lighting and cleaning of the internal communal parts are included in the rent. The locality is commercial and residential. There are good travel and shopping facilities.

##### (ii) The Interior:

The Dwellinghouse comprises a living room, kitchen, dark bathroom and bedroom. There is electric storage heating in the living room and hall only. Hot water is provided by electric immersion heater. The wiring is modern. The dwellinghouse was well decorated and maintained internally by the Tenant. The Tenant allowed the Committee an inspection of the dwellinghouse. The Tenant pointed out that there is condensation forming in all the windows. There is a broken bath panel in the bathroom and the bathroom door has been badly kicked in by a previous tenant. Two electric sockets are not working and another socket had loose wires hanging out it in the living room. The Tenant has continually asked the Landlord's agents to rectify these faults since his entry on 9 August, 2006.

#### **The Documentation**

1. A copy of the form AT4 application dated 20 October, 2006.
2. A copy of a Rental Agreement for a rent of £395 per month dated 9 August, 2006.

3. A copy of the Tenancy Agreement for a rent of £375 per month dated 9 August, 2006.
4. A copy of the Landlord's Notice to terminate the Short Assured Tenancy no later than 8 August, 2007 dated 9 August, 2006.
5. A copy of the Short Assured Tenancy Notice to Quit dated 9 August, 2006.
6. A copy of the Form AT 5 and Notice of Grounds for Possession.

**The Hearing**

Neither party requested a Hearing.

**The Decision**

The Committee decided that the sum of £4,500 *per annum* was a fair rent for the dwellinghouse. The Committee's decision takes effect from the date of application which is 25 October, 2006.

The Committee's powers and duties are set out in Section 25 of the Housing (Scotland) Act 1988. The Committee looked at (i) a range of rentals for similar properties in the immediate vicinity and (ii) the market value for similar properties in the immediate area. The Committee came to the view from their findings that the rents ranged between £4,380 *per annum* and £4,500 *per annum*. The Tenant also confirmed that one of his friends lived at number 298 London Road in a dwellinghouse equivalent to his own was paying a rent of £4,380 *per annum*. The Committee noted that there were two rental agreements which had been placed into evidence. The first and earlier agreement which the Tenant had signed was for a rent of £4,500 *per annum* and the second agreement was for £4,740 *per annum*. Taking into account the repairs that were still required to be carried out from the date of entry and the fact that the Tenant had to repaint the dwellinghouse on entry because of the state of the decoration on entry there was no justification the Committee could find in terms of the legislation or reasons put forward by the Landlord as to why the rent was increased by £240 *per annum*. The Committee came to the view that £4,500 *per annum* was reasonable.

In reaching the Decision the Committee had full regard to the statutory requirements of the Act in coming to their decision.

Chairman J Grant-Hutchison

Date 21.12.06