



**PRIVATE RENTED HOUSING PANEL**

**HOUSING (SCOTLAND) ACT 1988 SECTION 25(1)**

**Register Of Rents Determined Under Statutory Assured Tenancies**

<b>REFERENCE NO.</b>	<b>APPLICATION RECEIVED</b>
RAC/KY8/A85	31 March 2011
<b>ADDRESS OF PREMISES</b>	
12 Dunsire Street, Methilhill, Fife, KY8 2DH	
<b>TENANT</b>	
Mr McKeen	
<b>NAME AND ADDRESS OF LANDLORD</b>	<b>AGENT</b>
Northumberland & Durham Property Trust	Redpath Bruce 103 West Regent Street Glasgow G2 2DQ
<b>RENTAL PERIOD</b>	<b>DATE TENANCY COMMENCED</b>
Yearly	28/04/2009
<b>DESCRIPTION OF PREMISES</b>	
2 bedroom semi detached house circa 1910 of traditional brick and tile construction located in a residential area of Methil with reasonable access to local services	
<b>SERVICES PROVIDED</b>	
None	
<b>COMMITTEE MEMBERS</b>	
<b>CHAIRMAN</b>	J V Lea LLB MBA MSc
<b>PROFESSIONAL MEMBER</b>	R Buchan BSc FRICS
<b>LAYMEMBER</b>	A McKay
<b>PRESENT RENT</b>	<b>£4160</b>
<b>RENT DETERMINED</b>	<b>£4160</b>
<b>DATE CONSIDERED</b>	<b>DATE DETERMINATION TAKES EFFECT</b>
27/01/2012	28/04/2011

**J Lea**

Chairman of Private Rented Housing Committee

7/2/12

Date



## **Statement of decision of the Private Rented Housing Committee under Section 25 of the Housing (Scotland) Act 1988**

**prhp Ref: RAC/KY8/A85**

**Re : Property at 12 Dunsire Street, Methilhill, Leven, Fife, KY8 2DH ("the Property")**

**The Parties:-**

**Mr David McKeen, 12 Dunsire Street, Methilhill, Leven, Fife, KY8 2DH ("the Tenant")**

**Northumberland & Durham Property Trust Ltd, per Redpath Bruce, 103 West Regent Street, Glasgow ("the Landlord")**

### **Introduction**

This is an application by the Tenant for a determination of the rent payable under Section 25 of the Housing (Scotland) Act 1988. The Tenancy is an Assured Tenancy. The Tenant applied to the Committee for a determination of rent on the prescribed form AT4 dated 23 March 2011. The Committee had before it the following documents:

- (1) Tenancy Agreement between the Tenant and the Landlord dated February 2010.
- (2) Forms AT2 and AT4.
- (3) Written representations from the Landlord and the Tenant.

### **Inspection of the Property**

The Tenant and the Tenant's Agent, David Main were both present at the inspection. The Landlord was not present.

The property is a two storey two bedroom semi detached house built circa 1910 of traditional brick and tile construction. The property is located in a residential area of Methilhill with reasonable access to local services. The property has a garden area to the front and rear and off street parking available. The accommodation comprises two bedrooms, living room, kitchenette, hall and bathroom. The internal floor area is 70 sq.m. There is a large storage cupboard off the living room. The property has gas central heating and double glazing throughout. The Landlord recently fitted kitchen units including a cooker in the kitchen. The bathroom has dated units. There is a concrete floor in the kitchen with no floor covering and a number of broken floorboards throughout the property. There is damp evident in the upper hallway and evidence of a significant past damp problem in the back bedroom. The tenant advised that the property was flooded by a burst cold water storage tank recently. There were

many stains and evidence of a slow drying out but also high instrumental moisture readings suggesting current rain-water penetration. There is no light fitting in the back bedroom and there are loose wires protruding from the ceiling. The property is in need of extensive redecoration. There are a number of deteriorating or temporarily patched ridge tiles on the roof. The window pane of the storeroom is broken and the roof of the outside store is sagging, with a tile missing and in obvious need of repair.

## **Decision**

The Committee took account of the written submissions made by the Tenant in respect of the repairs required to the property. The Committee also took account of the Landlord's submissions in respect of the work which has already been carried and also in respect of other properties for rent in the area. The Committee did not however find the comparables mentioned by the Landlord to be particularly helpful given that there is no detail of where exactly these properties are or what size they are. The Committee used its own experience and knowledge and had regard in particular to a number of properties available for rent in the area. The Committee noted a property in Mulberry Crescent, Methilhill which is a similar type of property of similar size which was let in June 2010 for £450 per calendar month, and a property in Keir Hardy Street, Methilhill being a two bedroom semi detached property let for £380 per calendar month in March 2010. The Committee also noted a property in Markinch, Fife being an ex local authority two bedroom end terrace property let at £495 per calendar month in June 2011 but this is a more desirable area. In the circumstances the Committee considered that a rent of £420 per calendar month would be a market rent for a property similar to the property under consideration in good condition.

The Committee however considered that deductions required to be made from this to take account of the fact that the flooring in the property will have to be made good, the woodwork and electrics, particularly in the upstairs back bedroom, require repair, the damp problem will require to be rectified, the window in the store room and store outside will require to be repaired, the bathroom requires upgrading and the whole property requires extensive redecoration. The upstairs back bedroom is not in a habitable condition at present and although this can be partly attributed to the Tenant's usage of the property, it would appear that the Landlord has not made good the room since the flood over a year ago. The Committee considered that at least £9,000 would be required to bring the property into good lettable condition and decided that, using a straight line depreciation over 10 years, the rent should be reduced by £900 per annum. This would give a rent of £4,140 per annum which is within 5% of what the Tenant is currently paying. Accordingly, the Committee saw no reason to change the figure of £4,160 per annum and saw no reason not to back date the date of the determination. The Committee would comment that the property in its present condition would not meet the Repairing Standard.

The Committee accordingly determined that a market rent for this property in its current condition is £4,160 with effect from the 28<sup>th</sup> April 2011.

Signed ..... **J Lea** ..... Date..... 2/2/12 .....  
Chairperson