



**PRIVATE RENTED HOUSING PANEL**

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

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

**REFERENCE NO.**

RAC/IV40/A33

**APPLICATION RECEIVED**

18 March 2009

**ADDRESS OF PREMISES**

2 Saraig, Ratagan, Glensheil, IV40 8HP

**TENANT**

Mr D Barron

**NAME AND ADDRESS OF LANDLORD**

Northumberland & Durham  
Property Trust Ltd.

**AGENT**

Redpath Bruce  
103 West Regent Street  
Glasgow  
G2 2DQ

**RENTAL PERIOD**

Monthly

**DATE TENANCY COMMENCED**

28 June 2000

**DESCRIPTION OF PREMISES**

Semi detached brick built bungalow with solid fuel central heating and double glazing comprising living room, three bedrooms, kitchen and bathroom.

**SERVICES PROVIDED**

None

**COMMITTEE MEMBERS**

**CHAIRMAN**  
**PROFFFESSIONAL MEMBER**  
**LAYMEMBER**

Mrs J Lea LLB MBA MSc  
Mr R Buchan BSc FRICS  
Mr M Scott

**PRESENT RENT**

£167.00 p.c.m.

**RENT DETERMINED**

£200.00 p.c.m.

**DATE CONSIDERED**

8 June 2009

**DATE DETERMINATION TAKES EFFECT**

24 March 2009

**J Lea**

Chairman of Private Rented Housing Committee

10/6/09

Date

## **PRIVATE RENTED HOUSING PANEL**

### **STATEMENT OF REASONS**

**2 Forestry Holding, Ratagan, Glenshiel**

**8 June 2009**

This is an application by the Tenant for a determination of the rent payable under Section 24 of the Housing (Scotland) Act 1988. The Landlord is Northumberland and Durham Property Trust Ltd. The tenant is Mr D Barron.

The Tenancy is an Assured Tenancy. On 24 September 2008 the Landlord served on the Tenant an AT2 notice under Section 24 of the Housing (Scotland) Act 1988 seeking an increase in rental to £2,500 per annum. The Private Rented Housing Panel received Form AT4 application by the Tenant for determination of rent by the Private Rented Housing Panel under Section 24(3) of the said Act.

#### **Inspection**

The Committee inspected the property on 8 June 2009. The Tenant Mr D Barron was present. The Landlord was not present or represented.

#### **Hearing**

There was no hearing as neither party had requested one.

### Description

The property is a semi-detached bungalow built circa 1920 of traditional cavity brick with a pitched and slated roof. A flat roofed extension has been added at the side and this has recently been re-roofed. The accommodation comprises porch, entrance hall, living room, kitchen, bathroom and three bedrooms. Windows are double glazed. There is a wood burning stove in the living room which provides the central heating and the hot water. There is also an electric immersion heater. The kitchen and bathroom in the property are basic with the units in the kitchen all installed by the Tenant apart from the kitchen sink. The property has a large mature front and back garden together with a dilapidated wooden garage. Ratagan is located in a remote area on the shores of Loch Duich within an area of great landscape value and there are beautiful views from the property over the loch. There are very few local amenities.

### Condition

There is extensive damp in two of the bedrooms in the property. The bedroom in the flat roof extension has had a new roof and there was no longer any damp visible in this bedroom. The porch has had new timber cladding to one wall and a new front door but this does not appear to be usable and the porch is still in a poor condition. The wiring in the property is dated. The gutters and downpipes in the property are in a state of disrepair and the property is in a poor state of decoration.

### Documentation

The Committee had before it the following documentation:

1. Form AT4 completed by the Tenant
2. Form AT2 completed by the Landlord
3. Written representations from the Tenant

### Decision

No comparable properties were provided to the Committee by the Landlord or the Tenant. This is a relatively remote, sparsely populated area and as such, there is a low level of property market activity with the majority of property letting being seasonal holiday lets. Little evidence is ever available of recent lets and the Committee had to consider evidence from over a large geographic area of similarly situated cottages. The Committee noted that there had recently been a property for rent in Invergarry some thirty miles away which was a three bedroom cottage modernised and furnished with a rent of £500 per month. The Committee also noted a recent let of Bridge Cottage, Gruinard Estate, By Achnasheen, being a four bedroom detached modernised property at £450 per month; and a two bedroom detached house, West Creich Cottage, by Bonar Bridge at £400 per month. These properties are rural but not as isolated as the property under consideration. Taking these comparisons into account and also from their knowledge and experience, the Private Rented Housing Committee consider that a market rent for the property in a good state of repair and in modernised condition would be £400 per calendar month. The Committee however consider that this figure requires to be substantially reduced to take into the fact that the property is basic and unmodernised, has been neglected, suffers extensively from damp in two of the bedrooms which are accordingly barely habitable, has old wiring and has gutters and downpipes which are in

a state of disrepair. The Committee noted that the Landlord had provided a new flat roof in respect of one of the bedrooms since the last Rent Assessment Committee in 2006, but the Committee consider that the property is still in an unsatisfactory condition. The Committee also noted that the property is in an extremely isolated location with very few local amenities. In the circumstances, the Committee consider that the market rent requires to be reduced by £200 per month giving a rent of £2,400 per annum. The Committee also noted that a Private Rented Housing Committee had recently determined the rent for a property at Bunloinn, Glenmoriston which the Committee consider to be similar to the property under consideration given its size, condition and rural location although in addition it had a serious problem with its water supply and the rent fixed for that property was £225 per month. The Committee also consider that rents have gone up by approximately 20% over the last three years and accordingly consider that an increase of rent from £2,000 to £2,400 is appropriate. This rent will take effect from 24 March 2009.

**J Lea**

.....

.Chairman

16/6/09

.....Date