

**PRIVATE RENTED HOUSING PANEL****RENT (SCOTLAND) ACT 1984****Notification Of Decision By The Private Rented Housing Committee**

REFERENCE NO:	OBJECTION RECEIVED	OBJECTION
RAC/EH11/854	23 April 2012	Landlord

ADDRESS OF PREMISES

(GR) 19 Sighthill Drive, Edinburgh, EH11 4QW,

TENANT

Mrs M Black

NAME AND ADDRESS OF LANDLORD

First Rented

AGENT

Direct Lettings
Chetwynd Business Park
3-4 Regan Way
Chilwell
Nottinghamshire
NG9 6RZ

DESCRIPTION OF PREMISES

The property is an ex local authority ground floor flat in a 2 storey block of 4 flats which was built circa 1948/1950. The accommodation comprises living room, two bedrooms, kitchen and bath room.

The floor area of the property is approximately seventy square meters

SERVICES PROVIDED

None

COMMITTEE MEMBERS**CHAIRMAN**

J Taylor

SURVEYOR

D Marshall

HOUSING PANEL MEMBER

C Anderson

FAIR RENT

£ 4725p.a.

DATE OF DECISION

10 September 2012

EFFECTIVE DATE

10 September 2012

J Taylor

Chairman of Private Rented Housing Committee

20 September 2012

Date



STATEMENT OF REASONS

in connection with

INSPECTION HELD ON 10th September 2012

In relation to the property

Flat GR, 19 Sighthill Drive, Edinburgh, EH11 4QW

1. THE PARTIES

The Landlords are First Rented, 54 Manor Road, Cheam, Surrey, SM2 7AG. Their agents are Murray & Currie, Property Sales and Lettings, 28 Thistle Street, Edinburgh, EH2 1EN.

The Tenant is Mrs M Black. She has been a resident of the property since 1st May 1987. Her tenancy is a registered tenancy in terms of the Rent (Scotland) Act 1984.

2. BACKGROUND

The current rent is £3200 per annum (£266.67 per month). The Landlords applied for the rent to be increased to £1114.68 per annum (£92.89 per month). The Rent Officer registered a rent of £3304 per annum (£275.33 per month) with effect from 6th March 2012. The Landlords referred the determination to the Private Rented Housing Panel ('PRHP').

3. THE INSPECTION

On the morning of 10th September 2012 the committee inspected the property. The Tenant was present at the inspection.

The property is ex local authority ground floor flat in 2 storey block of 4 flats, with slated roof slopes and harled walls which was built circa 1948/1950. The accommodation comprises living room, two bedrooms, kitchen and bath room.

The Tenant had installed a fitted kitchen, replacing the dated kitchen units originally supplied by the Landlords. The kitchen appliances had been supplied by the Tenant. In the bathroom the bath, sink and wc had been supplied by the Landlords and were dated. The Tenant had installed an electric shower above the bath.

The central heating in the property had been installed by the Tenant approximately 20 years ago. The Tenant advised that the Landlords had not contributed to the installation or paid any servicing or maintenance costs for the system.

Double glazing had been installed by the Landlords over twenty years ago. The Tenant explained that a number of seals were defective and some handles were loose.

The floor area of the property is approximately seventy square meters

There is garden ground pertaining to the property at both the front and rear. The Committee noticed that the tarmac access path to the side of the property and was uneven and in need of repair.

The property is conveniently situated for public transport and local services.

No services are provided by the Landlords.

4. THE HEARING

The parties did not attend the hearing that had been arranged.

5. THE DECISION

The committee had the following documents before them:-

- A copy of form RR1, the Landlords' application for registration of the rent.

The committee considered the documents provided.

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 carefully considered which of the three methods of assessing the rent was appropriate in this case. The three recognised methods used in Scotland are (1) determining the fair rent by reference to comparable registered rents in the area. (2) determining the fair rent by reference to market rents of comparable properties allowing for appropriate deductions for scarcity and (3) determining the fair rent by reference to the anticipated annual return based on the capital value of the property. None of these methods is the primary method. The appropriate method depends on the facts and circumstances of each case.

Separately the committee had obtained details of a number of other similar sized properties available to lease in the area from the internet. The rents of these properties ranged from £ 550 to in excess of £650 per month. In light of this evidence the committee considered that the method of using comparable market rents was the best evidence available and proceeded to assess the rents of the properties using this method.

These properties were two bedroom properties with kitchen and bathroom. The committee acknowledged that there is a reasonable supply of similar properties to rent in the area and therefore there is no scarcity of supply of such properties at this time.

The committee considered the details of the other properties available to rent in the area. They were improved properties which were provided with appliances, carpets and curtains. The properties at the higher end of the range were also furnished. The committee noted that no rental evidence had been provided by the Landlords.

The committee considered the market evidence and reflected that the market rent of properties comparable to Flat GR, 19 Sighthill Drive, Edinburgh was £550 per month (£6600 per annum). The committee acknowledged that an adjustment was required to reflect the following:

- The property is unimproved.
- The bathroom fittings are dated.
- The double glazed windows are defective.
- The access pathway is uneven and in need of repair.
- The accommodation is unfurnished and no decoration, appliances, blinds or floor coverings are supplied by the Landlords.
- The Tenant provided the internal decoration, appliances, blinds and floor coverings, the kitchen fittings, electric shower and central heating.

They considered that a deduction of £ 1875 per annum was reasonable to reflect these differences.

After consideration of all these factors the committee decided that the fair rent for the property was £4725 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 10th day of September Two thousand and twelve.

J Taylor

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Chairperson, 20th September 2012