



**PRIVATE RENTED HOUSING PANEL**

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

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

**REFERENCE NO.**

RAC/G52/A98

**APPLICATION RECEIVED**

8 April 2013

**ADDRESS OF PREMISES**

52 Innerwick Drive, Hillington, Glasgow, G52 2HG

**TENANT**

Mr B Jack

**NAME AND ADDRESS OF LANDLORD**

Gauld Properties Ltd  
22 Milnpark Street  
Glasgow  
G41 1BB

**AGENT**

**RENTAL PERIOD**

monthly

**DATE TENANCY COMMENCED**

September 2004

**DESCRIPTION OF PREMISES**

Upper cottage flat within two story block of four flats built circa 1930. Gross internal area 65 sq metred. Gas central heating (installed by tenant). Partial double glazing. Four rooms, small kitchenette and bathroom. Garden ground.

**SERVICES PROVIDED**

None

**COMMITTEE MEMBERS**

**CHAIRMAN**

D Preston

**PROFESSIONAL MEMBER**

C Jones

**LAYMEMBER**

S Brown

**PRESENT RENT**

£5,400.00

**RENT DETERMINED**

£5,450.00

**DATE CONSIDERED**

10 June 2013

**DATE DETERMINATION TAKES EFFECT**

8 October 2013

**D Preston**

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**Chairman of Private Rented Housing Committee**

19-6-13

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**Date**

## **DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE**

**In connection with**

**INSPECTION HELD ON 10 June 2013**

**Of the property at**

**Case Reference RAC/G52/A98**

**19 June 2013**

### **The Parties**

The Landlord of the property is Gauld Properties Ltd, 22 Milnpark Street, Glasgow G41 1BB

The Tenant is Mr Benjamin Jack who resides at the property address. The Tenant succeeded to the property on the death of his parents in 2004. The tenancy is accordingly a statutory assured tenancy under the Housing (Scotland) Act 1988 ("the Act").

### **Background**

On 4 April 2013 the Landlord served a Notice (AT2) on the Tenant under section 24(1) of the Act indicating an intention to increase the rent on the property from £450 per month to £550 per month with effect from 8 October 2013. The Tenant timeously objected to the proposed rent increase by referring it to the Private Rented Housing Panel on form AT4 dated 12 April 2013.

The matter was referred to the Committee and the parties were advised that an inspection and hearing would take place to which they were invited to attend. An inspection took place at the property on 10 June 2013. Both parties indicated that they did not wish to attend the hearing.

### **The Inspection**

1. The Private Rented Housing Committee comprised: David Preston, Chairman, Ms Carol Jones, Surveyor member and Ms Susan Brown, Housing member. The Tenant was present throughout the inspection.
2. The subject property is a traditional style upper cottage flat in the Cardonald / Hillington area of Glasgow. The accommodation consists of living room, three bedrooms, Hall, kitchenette and bathroom. The roof of the property was slated. The windows within the property were a mixture of single and double glazed UPVC units throughout. Gas central heating system was

reported to have been installed by the Tenant's father a number of years ago, although it was reported that the Landlord had installed a replacement boiler within the previous year. There was a garden ground pertaining to the property to the side and rear. The property was well located for local amenities, public transport and schools.

3. The property was let unfurnished and was maintained by the Tenant in good decorative order although the bathroom and kitchen were in need of modernisation. The Tenant reported that a new bath had been installed by the Landlord. The Tenant stated that he had tiled the walls in the kitchen and bathroom and installed an electric shower. Although the electrical wiring appeared dated, the Tenant reported that it had been inspected and found to be in order.

### **The Hearing**

Neither party indicated that they wished to attend a Hearing. Accordingly the members of the Committee considered matters after the inspection within the offices of the Private Rented Housing Panel at Europa Building, 450 Argyle Street, Glasgow. The Committee members had before them:

- The Landlord's Notice of Proposed Increase – Form AT2 dated 4 April 2013
- The Tenant's application to PRHP – dated 8 April 2013
- Copy Determination by PRHP dated 5 July 2012

### **The Decision**

1. The Committee was bound to fix a market rent for the property by applying the terms of the Act. The Committee was required to determine the rent which, subject to certain assumptions specified in the Act, it considered that the property might reasonably be expected to achieve if it was let on the open market by a willing landlord under an assured tenancy. In terms of the Act it is for the Committee to determine, based on the evidence before it, the best method to fix the market rent.
2. The Committee noted that there were a number of similar properties on the market for rent in the Hillington area. The Committee was aware that there was a high turnover of rental properties in the area being a popular locality evidenced by the fact that this type of property only remains on the market for a relatively short time.
3. The Committee considered all of the documents provided and had obtained details of other properties available for leasing in the area from internet advertisements. It noted that there was a number of comparable properties on the market at rents within a range of £550-£575 per month. However these properties were modernised and fully fitted with appliances and floor coverings and the properties at the higher end of the range were furnished.
4. The Committee considered that the market rent should be subject to a deduction to take account of the fact that the property was unfurnished, had only partial double glazing and,

although the Landlord had replaced the boiler, the central heating system had been installed by the Tenant's father. It also reflected the basic/poor quality of the kitchen and bathroom fittings (new bath excepted) and the fact that the tenant had provided the decor and all floor coverings. On this basis the Committee was of the view that the market rent of the property in question was £5,450 pa.

5. The Committee also noted that in its decision of 23 July 2012, that Committee had decided that the open market rent for the property had been £5,400 per annum (£450 per month). The Committee was of the view that the market rent of properties comparable to the subject property would not have altered greatly since that time but, also taking account of the installation of the central heating boiler and bath it determined that the market rent which it had assessed was comparable to that earlier decision
6. Accordingly the Committee determined that the market rent for the property at 52 Innerwick Drive, Hillington, Glasgow G52 2HG should be £5,450 per annum (£454.16 per month), effective from 8 October 2013 being the date indicated in form AT2.
7. The decision of the Committee was unanimous.

**D Preston**

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David M Preston, Solicitor

Chairman of the Committee