

RENT ASSESSMENT PANEL FOR SCOTLAND

RENT (SCOTLAND) ACT 1984

NOTIFICATION OF DECISION BY THE RENT ASSESSMENT COMMITTEE

REFERENCE NO.	OBJECTION RECEIVED	OBJECTION
RAC/KA14/434	24 May 2006	Landlord

ADDRESS OF PREMISES

Main door, 9 Garnockside, Glengarnock, KA14 3AB

TENANT

Mrs Johnstone

NAME AND ADDRESS OF LANDLORD	AGENT
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Northumberland & Durham Property Trust.	Redpath Bruce Property Management 103 West Regent Street Glasgow G2 2DQ
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DESCRIPTION OF PREMISES

Single storey terraced house circa 1930 comprising 4 rooms kitchen and bathroom.

SERVICES PROVIDED

None

COMMITTEE MEMBERS

CHAIRMAN	Mrs J Taylor LLB Dip LP NP
PROFESSIONAL MEMBER	Mr G Campbell FRICS
LAY MEMBER	Mr J Riach

FAIR RENT	DATE OF DECISION	EFFECTIVE DATE
£ 2600 per annum	4 July 2006	4 July 2006

J Taylor

Chairman of the Rent Assessment Committee

6/7/06

Date

STATEMENT OF REASONS

in connection with

INSPECTION HELD ON 4th July 2006

of the property

Terraced Cottage, 9 Garnockside, Glengarnock.

1. THE PARTIES

The landlord is Northumberland & Durham Property Trust Ltd and they are represented by Redpath Bruce Property Management, 103, West Regent Street, Glasgow, G2 2DQ.

The tenant is Mrs W Johnstone. She has been a tenant of the property for over forty years.

2. BACK GROUND

The current rent is £2320 per annum. The landlords applied for the rent to be increased to £2850. The Rent Officer registered a rent of £2600 per annum with effect from 26th May 2006. The Landlord referred the determination to the Rent Assessment Committee.

3. THE INSPECTION

The committee inspected the property, which is a single storey terraced cottage which originally formed part of the local school buildings. The property dates from before 1900. The accommodation comprises living room, two bedrooms, dining room, unusually shaped kitchen and bathroom. At the rear of the property is a stone built out house and there is an attached store to the side. Extensive gardens are located to the front of the property.

The tenant provided the storage heaters in the property with the landlord providing the original coal fireplaces. Hot water was provided by the immersion heater.

The roof of the property had been substantially repaired approximately five years ago and double glazing had also been installed at that time. The committee noticed that there was historic evidence of dampness in the rear bedroom. The tenant has recently redecorated all but the rear bedroom.

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

No services are provided.

4. THE HEARING

No hearing was requested.

5. THE DECISION

The committee had the following documents before them:-

- A copy of form RR1, the landlord's application for registration of the rent.
- The letter from the landlord's agents dated 26th May 2006, which stated that they considered that the rent set by the Rent Officer to be unfair.
- The written statement by the Landlord's agents which stated:-

'We would like to appeal the registered rent decision as set by the rent officer in this case. We feel that the locality and size of the property should contribute to a fairer rental amount set by the officer. This is a well maintained property which has had various works carried out on it over the past years.

On behalf of the landlord, namely Northumberland & Durham, we feel that the rent amounts we request are fair.'

The committee considered these documents. They had not been provided with evidence of rents of comparable properties or capital valuations.

The committee, using their own knowledge and experience, considered that a reasonable capital valuation of the property was £75,000.

The committee were mindful of the terms of section 48(1) of the Rent (Scotland) Act 1984 which requires them to assume that there will be no scarcity in demand for the property under consideration. The committee considered that there is reasonably strong scarcity in demand for the property, given its individual features, and particular location. In the circumstances they considered it is reasonable to make an adjustment for this of 30%.

In addition, the committee considered that it is appropriate to apply a net return of 4% to the capital valuation.

They also considered that £500 was a reasonable estimate of the landlord's annual insurance and repairs costs. Consequently, they decided that the fair rent for the property was £ 2600 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 fourth day of July Two thousand and Six.

J Taylor

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Chairperson, 6th July 2006