



PRIVATE RENTED HOUSING PANEL

RENT (SCOTLAND) ACT 1984

Notification Of Decision By The Private Rented Housing Committee

REFERENCE NO:	OBJECTION RECEIVED	OBJECTION
RAC/G42/788	12 January 2011	Landlord

ADDRESS OF PREMISES

3/1, 200 Battlefield Road, Glasgow, G42 9HN

TENANT

Ms P Campbell

NAME AND ADDRESS OF LANDLORD

Clydesdale Securities Co. Ltd.

AGENT

Ross & Liddell Ltd.
60 St Enoch Square
Glasgow
G1 4AW

DESCRIPTION OF PREMISES

Third floor traditional tenement flat circa 1900 comprising 3 rooms, scullery kitchen and bathroom.

Gross internal floor area = 66 square metres.

SERVICES PROVIDED

None

COMMITTEE MEMBERS

CHAIRMAN
SURVEYOR
HOUSING PANEL MEMBER

Mrs J Taylor LLB Dip. LP NP
Mr G Campbell FRICS
Mr J Riach

FAIR RENT	DATE OF DECISION	EFFECTIVE DATE
£ 3680.00 p.a.	30 March 2011	30 March 2011

J Taylor

Chairman of Private Rented Housing Committee

31/3/2011

Date



STATEMENT OF REASONS

in connection with

INSPECTION AND HEARING HELD ON 30th March 2011

In relation to the property

Flat 3/1, 200, Battlefield Road, Glasgow, G42 9HN

1. THE PARTIES

The Landlords are Clydesdale Securities Limited and they are represented by Ross & Liddell Limited, 60 St Enoch Square, Glasgow, G1 4AW.

The Tenant is Ms Patricia Campbell. She has been a tenant of the property since 1993.

Her tenancy is a registered tenancy in terms of the Rent (Scotland) Act 1984.

2. BACKGROUND

The current rent is £3180 per annum. The landlords applied for the rent to be increased to £4700. The Rent Officer registered a rent of £3680 per annum with effect from 8th December 2010. The Landlords referred the determination to the Private Rented Housing Panel ('PRHP').

3. THE INSPECTION

The committee inspected the property, which is an unimproved top floor flat in a four storey, with basement, traditional blonde sandstone tenement, which dates from circa 1890.

The tenement has a tiled roof, a communal door entry system and had been refurbished and upgraded in the past.

The accommodation comprises lounge, double bedroom, living room, small scullery kitchen and internal bath room. The windows throughout the property are single glazed.

The kitchen and bathroom fittings are dated. The property was rewired in approximately 1989. There is no central heating in the property but the tenant had installed gas fires. Hot water is provided by the immersion heater, which was provided by the Landlord.

It was noted that there is an area of dampness to the ceiling of the living room at the rear of the property and a number of cracks to the ceiling and walls throughout the property.

The floor area of the property is approximately sixty six square meters.

There is a communal area at the rear of the tenement and the bin storage area is located here. The property is conveniently situated for public transport and local services.

No services are provided by the landlord.

4. THE HEARING

Ms Campbell, the Tenant attended the hearing, which took place in the property, following the inspection. The Landlords did not attend and were not represented.

She advised the committee that she did not know the rents of other similar properties in the area.

The dampness to the ceiling of the living room at the rear of the property was ongoing. A repair to the chimney had been carried out in the past but the dampness has remained.

She also explained that at the time the property was refurbished in approximately 1989 false walls were installed to the rear living room and the bedroom, resulting in these rooms being smaller than they were originally.

5. THE DECISION

The committee had the following documents before them:-

- A copy of form RR1, the Landlords' application for registration of the rent.
- Written representations from the Landlords' agents which state:- 'In the current market we would achieve £4667- £5000 in the present condition. Upgraded we would achieve £6240 (£520 per calendar month).
- List of comparable rents, provided by the clerk:-

Address	Accommodation	Description	Effective date	Registered Rent
2/1, 206 Battlefield Road, Glasgow, G42 9HN	3 rooms scullery kitchen and bathroom	Tenement flat pre 1919	8 th December 2010	£3620

2/2, 26 Battlefield Gardens, Glasgow, G42 9JP	3 rooms, living kitchen and bathroom, internal floor area 90 sq m	Tenement flat circa 1890.	13 th May 2010	£4300
3/M, 29 Bolton Drive, Glasgow, G42 9DX	3 rooms scullery kitchen and bathroom Internal floor area 64 sq m	Tenement flat circa 1900	2 nd Feb 2011	£3850

The committee considered the submissions by the Tenant at the hearing and the documents provided. Separately the committee had obtained details of a number of other similar sized properties available to lease in the area, from news paper advertisements and the internet. The rents of these properties ranged from £445 to £580 per month.

These properties were two bedroom properties with kitchen and bathroom. They were provided with carpets and curtains and the properties at the higher end of the range were also furnished.

The committee considered this evidence and decided that the market rent of properties comparable to Flat 3/1, 200 Battlefield Road, Glasgow was £450 per month (£5400 per annum). The committee acknowledged that an adjustment was required to reflect the fact that the property (Flat 3/1, 200 Battlefield Road, Glasgow) was unimproved with single glazed windows, no central heating, there are dated bathroom and kitchen fittings, the property is unfurnished, no decoration or floor coverings were supplied by the Landlords and there are cracks to the ceiling and walls of the property and there is an area of dampness to the ceiling of the living room at the rear. They considered that a deduction of £1720 per annum was reasonable to reflect these differences.

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 acknowledged that there is a plentiful supply of similar properties to rent in the area and therefore there is no scarcity of supply of such properties at this time.

After consideration of all these factors the committee decided that the fair rent for the property was £3680 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 30th day of March Two thousand and eleven.

.... **J Taylor**

Chairperson, 31st March 2011