



PRIVATE RENTED HOUSING PANEL

RENT (SCOTLAND) ACT 1984

Notification Of Decision By The Private Rented Housing Committee

REFERENCE NO:	OBJECTION RECEIVED	OBJECTION
RAC/G51/848	15 March 2012	Landlord

ADDRESS OF PREMISES

0/1, 3 Langshot Street, Glasgow, G51 1LY

TENANT

Mr N Buchanan

NAME AND ADDRESS OF LANDLORD

Tinord Ltd

AGENT

MacFie & Co
5 Cathkinview Place
Glasgow
G42 9EA

DESCRIPTION OF PREMISES

Large 3 bedroomed ground floor flat built C.1900 of blond sandstone and tile construction.

Approximate internal floor area is 144.1 sq metres.

SERVICES PROVIDED

None

COMMITTEE MEMBERS

CHAIRMAN
SURVEYOR

J Bauld LLB(Hons) DIP LP
S Hesp LLB(Hons) BA(Hons) MRICS

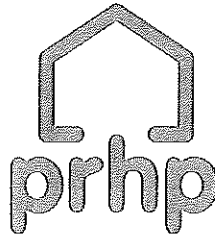
FAIR RENT	DATE OF DECISION	EFFECTIVE DATE
£ 5,000.00 p.a.	28 May 2012	28 May 2012

J Bauld

Chairman of Private Rented Housing Committee

28 May 2012

Date



Determination by Private Rented Housing Committee

Statement of Reasons for Decision of the Private Rented Housing Committee

(Hereinafter referred to as "the Committee")

In connection with the inspection on 28th May 2012
of the property at Flat 0/1, 3 Langshot Street, Glasgow

Case Reference Number: RAC/G51/848

The Parties:-

Mr Neil Buchanan, residing at Flat 0/1, 3 Langshot Street, Glasgow ("the tenant")

And

Tinord Ltd per their agent MacFie & co, 5 Cathkinview Place, Glasgow, G42 9EA ("the landlord")

The tenancy is a regulated tenancy in terms of the Rent (Scotland) Act 1984.

Background:-

1. The current rent for the property is £3,258 per annum (£271.50 per month). The landlord proposed an increased rent to £6,000 per annum (£500 per month). The rent officer determined that a rent of £3,780 per annum (£315 per month) with effect from 12th April 2012. The landlord appealed that determination to the Private Rented Housing Panel ("PRHP").

The Inspection

2. The Private Rented Housing Committee comprising of Mr James Bauld, Chairman and Ms Sara Hesp, Surveyor and Mrs Susan Brown, Housing Member initially attended at the property on 27th April 2012 to carry out an inspection. They were unable to obtain access on that date. Information was obtained which explained the lack of access. The inspection was then re-arranged to take place on 28th May 2012. On that date, Mrs Susan Brown the Housing Member was not available to attend the inspection and the inspection was carried out by the Chairman and the Surveyor Member only.
3. The property is contained within a three storey blonde sandstone tenement block. It has a tiled roof. The property is situated on the ground floor. The property consists of a living room, three bedrooms, bathroom, kitchen and hall. The floor area of the property extends to 144 square metres. The property has a gas central heating system. The heating system was installed by the tenant. The windows were original wooden framed single glazed windows. The property had a secure door entry system. There was a large

communal back court area which was completely overgrown and almost totally inaccessible. The property has a small front garden which is tended by the tenant and is in a very neat and tidy condition. The property is close to Paisley Road West and is convenient for public transport links, local shops and services. There is on street parking. The property was built in or around 1900.

Decision

4. The landlord and tenant had both indicated they did not wish to attend a hearing in respect of the matter. The landlord did not attend the inspection nor did their agent. Accordingly after the inspection the Committee members convened at the offices of the PRHP to consider their decision.
5. The Committee had the following documentation before them:-
 - Copy ;Form RR1 in respect of the property being the Landlord's application for registration of rent dated 22nd February 2012
 - Determination by the rent officer dated 15th March 2012
 - Written representation received from the tenant
6. The Committee considered all the documents provided. The Committee also obtained details of other properties available for let in the area from internet advertisements. During the course of the inspection the Committee noted that there was a flat available for let within Langshot Street which was shown as available via an advertising board from a letting agent.
7. The Committee were mindful 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 expertise of other rents with comparable properties in the area as well as having regard to the age, character and locality of the dwellinghouse in question and to the state of repair and, if any, furniture provided for use under the tenancy, the quantity, quality and condition of the furniture.
8. The Committee are also required to assume that in terms of Section 48(2) of the said Act that "the number of persons seeking to become the tenants of similar dwellinghouses in the locality on the terms (other than those related to rent) of a regulated tenancy is not substantially greater than the number of dwellinghouses in the locality which are available for letting on such terms".
9. No capital valuations of the property were produced to the Committee. The Committee were not provided with copies of any relevant rentals for comparable properties by the landlord or the tenant. Accordingly the Committee simply proceeded to exercise their own knowledge and experience and considered the information which was available to them from other sources. The Committee, from their own knowledge and experience were aware that the range of rents for flats within the general area of the property ranged from £550 per month to £700 per month. The Committee were mindful that this particular property was much larger than any comparable three bedroom flat within the general area. The Committee took the view that the average rent for a modernised and furnished property of the same size as the property under consideration would be approximately £700 per month or £8,400 per annum.
10. The Committee further determined that the present property was let as unfurnished and did not benefit from the normal amenities and facilities that would be expected in a modernised flat. The Committee noted that the kitchen and bathroom within the property were not of a modern standard and required to be upgraded. The wiring within the property had not been upgraded since the tenant moved into the property 38 years ago. The property did not have double glazing. The central heating system had been installed at no cost to the landlords. The Committee also noted that the property was not provided with any white goods nor floor coverings by the landlord and that the tenant had undertaken all redecoration works.

11. The Committee therefore decided that a reasonable deduction was required to reflect the difference between the property at Flat 0/1, 3 Langshot Street, Glasgow and the market rent for a modern flat of the same size and in the same location
12. The Committee considered the cost of providing the appropriate appliances and carpeting and upgrading the kitchen and bathroom and providing central heating and double glazing. The Committee took the view that the costs involved would justify a reduction in the annual rental. The Committee were also mindful that this flat was of a very large size and extended to a gross floor area of 144.1 square metres. The Committee took the view that the costs involved in carrying out the various refurbishments and upgrading works would justify a reduction in the annual rent of £2,940 per annum. The Committee also took the view that the general condition of the back court and exterior areas would act as a significant barrier to prospective tenants. The Committee accordingly determined that a further deduction was justified to reflect that aspect of market reluctance. The Committee took the view that a deduction of approximately 10% from the already reduced rent would be appropriate. Accordingly the Committee determined that the fair rent for this property should be £5,000 per annum being the fair rent for a modernised property subject to the various deductions.
13. Having determined the rent, the Committee then considered whether there should be any scarcity deduction in terms of Section 48(2) of the 1984 Act. Applying their skill, knowledge and experience, the members of the Committee could find no evidence of excess demand for properties such as the one under inspection and noted also that there appeared to be a number of properties available for rent in the locality of the subjects. The Committee accordingly determined that there was no significant scarcity of properties.
14. Having considered all the relevant factors, the Committee decided that the fair rent for the property at Flat 0/1, 3 Langshot Street, Glasgow should be £5,000 per annum. The Committee decided that the rent should apply from the date of determination being 28th May 2012. In reaching this decision the Committee have had regard to all of the considerations required to be taken into account in terms of Section 48 of the Rent (Scotland) Act 1984.
15. The decision of the Committee was unanimous. This decision takes effect from 28th May 2012.

Signed **J Bauld**

Date *29 June 2012*

James Bauld, Chairperson

Signature of Witness **S Johnston**

Date *29 June 2012*

Name: **RUTH ELIZABETH JOHNSTON**

Address: 7 West George Street, Glasgow, G2 1BA

Designation: **SUCITOR**