



PRIVATE RENTED HOUSING PANEL

Rent (Scotland) Act 1984

Notification Of Decision By The Private Rented Housing Committee

REFERENCE NO.	OBJECTION RECEIVED	OBJECTION
PRHP/RR/16/0174	28 April 2016	Tenant

ADDRESS OF PREMISES

37 Wanlock Street, Glasgow, G51 3AB

TENANT

Mrs M Hood

NAME AND ADDRESS OF LANDLORD	AGENT
-------------------------------------	--------------

Govan Housing Association 35 McKechnie Street, Glasgow, G51 3AQ	
--	--

DESCRIPTION OF PREMISES

The property is a mid-terraced dwelling house erected in approximately 1996 with garden to front and rear.

The accommodation comprises living room, dining room, three bedrooms, kitchen, w.c and bath room. The property has gas central heating and double glazing.

The floor area is approximately 119.5 square metres.

SERVICES PROVIDED

None

COMMITTEE MEMBERS

CHAIRPERSON	Jacqui Taylor
SURVEYOR MEMBER	Sara Hesp

FAIR RENT	DATE OF DECISION	EFFECTIVE DATE
£ 6900.00 p.a.	12 July 2016	7 th April 2016

J Taylor

Chairperson of Private Rented Housing Committee

20/7/16

Date



STATEMENT OF REASONS

in connection with

INSPECTION AND HEARING HELD ON 12th July 2016

In relation to the property

MD, 37 Wanlock Street, Govan, Glasgow, G51 3AB

Case Ref No:PRHP/RR/16/0174

The Committee Members were Jacqui Taylor (Chairperson) and Sara Hesp (surveyor member).

1. THE PARTIES

The Landlords are Govan Housing Association, 35 McKechnie Street, Glasgow G51 3AQ. The Tenant is Mrs Marie Hood. She has been resident of the Landlords since 1981. The tenancy is a registered tenancy in terms of the Rent (Scotland) Act 1984.

2. BACKGROUND

The current rent is £ 3643.00 per annum (£ 303.58 per month). The Landlords applied for the rent to be increased to £4491.96 per annum (£374.33 per month). The Rent Officer registered a rent of £4491.96 per annum (£ 374.33 per month) with effect from 7th April 2016. The Tenant referred the determination to the Private Rented Housing Panel ('PRHP'). The Committee members were Jacqui Taylor (Chairperson) and Sara Hesp (Surveyor Member).

3. THE INSPECTION

On the morning of 12th July 2016 the Committee inspected the property. The Tenant was present at the inspection. The Landlords were not present and were not represented.

The property is a mid-terraced dwelling house erected in approximately 1996. The property is located next to the river Clyde and has garden to front and rear.

The accommodation comprises living room, dining room, three bedrooms, kitchen, w.c and bath room.
The floor area is approximately 119.5 square metres.
There is gas central heating in the property.
The windows throughout the property are double glazed.
The property is conveniently situated for public transport and local services.
No services are provided by the Landlords.

4. THE HEARING

The Landlords did not attend the hearing and were not represented. The Tenant and her daughter, Stacey Hood, attended the hearing. They explained that they consider the rent increase to be too high. The only evidence of comparable rents they provided was the rent of their next door neighbour of £300 per month. However they advised that they do not have a copy of her lease or other evidence confirming this.

5. THE DECISION

The Committee had the following documents before them:-

- 5.1 A copy of form RR1, the Landlords' application for registration of the rent.
- 5.2 Written representations from the Tenants which state that she wishes to appeal the rent awarded.

She explained that:

'On 7th April 2016 she was visited at her home to help discuss the increase and then on 9th April 2016 she received the letter saying that the increase was in place. When she was visited she stressed how high the increase was in line with the increase of cost of living over 20% on top of her rent she finds is a very high jump for a single person working 30 hours a week. She feels that her case wasn't really listened to as the letter was sent out the same day of visit. She feels she has had no help coming to a reasonable amount of increase.'

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 £632 to £ 765 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 comparable properties were three bedroom properties with kitchen and bathroom. The Committee acknowledged that there is a reasonable supply of similar properties to rent in the Glasgow 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. Most of the properties had flooring and appliances provided by the landlords.

The Committee considered the market evidence and reflected that the average market rent of properties comparable to 37 Wanlock Street, Govan Glasgow was £650 per month (£7800 per annum). The Committee acknowledged that an adjustment was required to reflect the fact that the Landlords of 37 Wanlock Street, Govan did not provide any appliances, decoration or floor coverings. They considered that a deduction of £900 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 £ 6900 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 7th day of April Two Thousand and Sixteen.

J Taylor

.....

.....

Chairperson, 19th July 2016