



PRIVATE RENTED HOUSING PANEL

RENT (SCOTLAND) ACT 1984

Notification Of Decision By The Private Rented Housing Committee

REFERENCE NO:	OBJECTION RECEIVED	OBJECTION
RAC/G11/737	9 March 2010	Landlord

ADDRESS OF PREMISES

3/1, 242 Dumbarton Road, Glasgow, G11 6TU,

TENANT

Ms Freckleton

NAME AND ADDRESS OF LANDLORD AGENT

Partick H.A. Ltd.
10 Mansefield Street
Glasgow
G11 5QP

N/A

DESCRIPTION OF PREMISES

Third floor modernised traditional tenement flat circa 1900 with double glazing and gas central heating comprising two rooms, kitchen and bathroom

Gross floor area: 65 square metres.

SERVICES PROVIDED

None

COMMITTEE MEMBERS

CHAIRMAN
SURVEYOR
HOUSING PANEL MEMBER

Mrs J Taylor LLB Dip LP NP
Mr M Links FRICS
Mr T Keenan

FAIR RENT	DATE OF DECISION	EFFECTIVE DATE
£ 4450.00 p.a.	13 May 2010	23 March 2010

J Taylor

Chairman of Private Rented Housing Committee

Date

13th May 2010



STATEMENT OF REASONS

in connection with

INSPECTION AND HEARING HELD ON 13th May 2010

In relation to the property

3/1, 242 Dumbarton Road, Glasgow, G42 9JP

1. THE PARTIES

The Landlords are Partick Housing Association, 10 Mansfield Street, Glasgow, G11 5QP.

The Tenant is Ms W Freckleton. She has been a tenant of the property for 12 years and has been a tenant of Partick Housing Association for over 30 years. Her tenancy is a registered tenancy in terms of the Rent (Scotland) Act 1984.

2. BACKGROUND

The current rent is £2284.44 per annum. The Landlords applied for the rent to be increased to £2921.76. The Rent Officer registered a rent of £2801.76 per annum with effect from 23rd March 2010. The Landlords and the Tenant referred the determination to the Private Rented Housing Panel ('PRHP').

3. THE INSPECTION

The committee inspected the property, which is an improved top floor flat in a four storey traditional blonde sandstone tenement, which dates from circa 1890. The tenement has a tiled roof and a communal door entry system. There are commercial properties located on the ground floor of the tenement. Dumbarton Road is a particularly busy road.

The accommodation comprises two rooms, dining kitchen and bath room.

The landlords have a rolling capital programme of improvements. The recent improvements made to the property are as follows:-

- 2003- Gas central Heating.
- 2005- Double glazing.
- 2008- Replacement Kitchen.
- 2009- Replacement Bathroom.

As mentioned, double glazing and gas central heating have been installed in the property.

The floor area of the property is approximately sixty five 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

The parties did not request a hearing.

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 Tenant advising as follows:-

'I am led to believe that Partick Housing Association are opposing the amount registered as a fair rent. I also wish to lodge an objection to the amount registered. There have been no changes or upgrading of my flat. There are cracks on the ceiling in the living room, bathroom and kitchen. My flat is situated on the top floor on a very busy road with traffic and noise 24/7. I have double glazing but still hear a lot of noise. There are two pubs one at the corner and one across from my house. It is noisy from Thursday to Sunday at 1am. Buses and taxis run all night. My buzzer is pressed all night by drunk people. I am also dealing with anti social behaviour issues and have been for over 14 months. These matters have a detrimental effect on my health and I feel that I no longer enjoy living in my flat. Against this back ground an increase in rent of 28% does not seem to be justified.'

- List of comparable rents, provided by the clerk:-

Address	Accommodation	Description	Effective date	Registered Rent
½, 4 Meadow Road, Glasgow, G11 6HX	3 rooms, galley kitchen and dark bathroom	First floor tenement flat C 1900	23 rd April 2008	£5400
2/2, 19 Vine Street, Glasgow	2 rooms, dark kitchen and	Second floor tenement flat C	12 th August 2009	£4000

G11 6BB	bathroom. Internal floor area approx 40 square m.	1900		
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The committee considered 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 £4560 to £6300 per annum. These properties were one bedroom properties. They were provided with carpets and curtains and the properties at the higher end of the range were also furnished.

Therefore they decided that the market rent of a property comparable to 3/1, 242 Dumbarton Road, Glasgow was £4800. The committee acknowledged that an adjustment was required to reflect the fact that the property (3/1, 242 Dumbarton Road, Glasgow, G42 9JP) was unfurnished and no decoration, floor coverings or appliances were supplied by the landlords. They considered that a deduction of £350 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. They also acknowledged that no comparable capital valuations had been provided by the parties and the best evidence available was the evidence of comparable market rents detailed.

After consideration of all these factors the committee decided that the fair rent for the property was £4450 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 23rd day of March Two thousand and ten.

..... **J Taylor**

Chairperson, 18th May 2010