



PRIVATE RENTED HOUSING PANEL
ANNUAL REPORT



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President's Foreword



It is with much pleasure that I present to you this first report of the Private Rented Housing Panel, (the **prhp**), which came into existence on 3rd September 2007. That date brought about the end of an era for the Rent Assessment Panel for Scotland, which had existed since the early 1970s. However, the Rent Assessment Panel did not simply disappear: it was replaced by the **prhp**, a revitalised and stronger organisation, with a wider range of powers and a strong commitment towards providing tenants with an effective means of redress against the small minority of private rented sector landlords who fail to carry out necessary repairs. The creation of this new organisation was one of a series of measures introduced by the Housing (Scotland) Act 2006 to tackle the problem of the poor condition of some properties within the private sector of housing in

Scotland. The aim of the Scottish Government is to improve standards in private rented housing. This report sets out how the **prhp** has been functioning in its first period of operation and how it has been working to help achieve that aim.

The reporting period relative to the work and functions of the **prhp** runs from 1st January to 31st December of each year, whereas the financial year runs from 1st April to 31st March. This report will therefore include information from more than one reporting period. In terms of the exercise of the functions of the **prhp**, it covers the period from 3rd September 2007 until 31st December 2008, the end of the first full operational year. It therefore covers two reporting periods: the first period runs from 3rd September 2007 until 31st December 2007, and the second runs from 1st January 2008 until 31st December 2008. The financial year, however, for that second reporting period ends on 31st March 2009. In order to provide the information in context, the report will also give some insight into the activities of the former Rent Assessment Panel for Scotland during the final months of the organisation's existence under that name.

The new **prhp** has a very important role to play in helping to improve the quality of housing in the private rented sector in Scotland. It quickly became apparent that, in a significant proportion of cases, an application to the **prhp** was all that was required to persuade landlords that the requested repair work should be undertaken. That is an indicator that the legislative provisions are achieving their objective.

The introduction of a new and radically different jurisdiction would not have gone so smoothly without the commitment and dedication of the Panel's staff and members. I take this opportunity to thank them all for their loyalty and hard work. Based on the level of enthusiasm and commitment shown by staff and members to date, I have no doubt that in the year ahead the **prhp** will go from strength to strength and will

continue to provide a high quality and accessible service to tenants seeking to find a way out of the misery of living in sub-standard accommodation.

Isabel Montgomery,

President.

Section 1

Introduction to the Private Rented Housing Panel

The Private Rented Housing Panel (**prhp**) is constituted under Schedule 4 to the Rent (Scotland) Act 1984, and was formerly known as the Rent Assessment panel for Scotland. The Panel is the term used to describe the organisation, and the organisation exists to provide a pool of members for appointment to Private Rented Housing Committees. Although applications are made to the Panel, each individual case will be dealt with and determined by a Committee made up of three Panel members. That Committee is now called a Private Rented Housing Committee (**prhc**). Before 3rd September 2007, these Committees were called Rent Assessment Committees.

Rent Assessment Committees have existed in the UK since 1965 when the Rent Act brought in the system of rent registration, the concept of a “fair rent”, Rent Officers and the system of Rent Assessment Committees. The **prhp** continues to carry out all the functions formerly carried out by the Rent Assessment Panel, as well as taking on a new jurisdiction as set out in the Housing (Scotland) Act 2006 (“the 2006 Act”).

The jurisdictions of the former Rent Assessment Panel were all contained within The Rent (Scotland) Act 1984 (“the 1984 Act”) and The Housing (Scotland) Act 1988 (“the 1988 Act”). Although the Rent Assessment Panel had various statutory functions, the primary work of the Panel was:-

- under the provisions of the 1984 Act, to consider appeals made by landlords or tenants against the rents registered by Rent Officers and to determine fair rents for properties in accordance with the provisions of that Act;
- under the provisions of the 1988 Act, to hear:-
 - (a) appeals by tenants against the level of rents set by landlords and to determine what the Committee considers to be a market rent for such properties in accordance with that Act, and
 - (b) appeals by landlords or tenants where the other party has proposed a review of the terms of the tenancy.

The 1984 Act governs “protected” and “statutory” tenancies. These are the two types of tenancy which fall within the definition of a “regulated tenancy”. Most lettings resulting from a contract made before 2nd January 1989 will be regulated tenancies, although there are some exceptions. The tenancy will be a “protected tenancy” if the contract between the landlord and tenant is still in force, or a “statutory tenancy” if the contract has been terminated but the tenant still continues to have the right to live in the house.

A tenant of a regulated tenancy has important rights in relation to the amount he or she can be charged and in relation to security of tenure. In particular, the tenant is entitled to have a “Fair Rent” registered for his property rather than an open market rent. Section 48 of the 1984 Act sets out how a “Fair Rent” should be determined, and a deduction can be made to take account of any inflation in rental levels caused by a shortage of houses available for rent. This means that when rental levels rise because there are more people wanting to rent than there are properties available, a “Fair Rent” will normally be lower than an open market rent.

The main work of the Rent Assessment Panel has always been to determine “Fair Rents” under the 1984 Act, but the number of such tenancies is slowly but surely diminishing. There have been no new regulated tenancies created since 2nd January 1989 and so it is inevitable that such tenancies will eventually die out. However, there are still a significant number in existence and the Panel has an important role to play in providing an appeal route for a party dissatisfied by the figure set by the Rent Officer. There is a further right of appeal, on a point of law, to the Court of Session for a party who is unhappy with the Committee’s decision.

The Housing (Scotland) Act 2006 (the 2006 Act) introduced a major new change to the work of the Panel. It was a cause for concern that many houses in the private rented sector in Scotland were known to be in need of some form of repair. The 2006 Act set out to address this problem by providing tenants with a new way of compelling a reluctant landlord to carry out necessary repairs. The 2006 Act sets a standard called the “repairing standard” and imposes a duty upon landlords to ensure that a house meets that standard. The measures in the 2006 Act should result in more homes in the private rented sector being maintained in a better state of repair.

Section 14 of the 2006 Act imposes a duty upon the landlord in a tenancy to ensure that the house meets the repairing standard at the start of the tenancy and at all times during the tenancy.

The repairing standard is set out in section 13 of the 2006 Act. It is not a high standard and most of it is not new.

In terms of section 14, a house meets the repairing standard if -

- a. the house is wind and water tight and in all other respects reasonably fit for human habitation;
- b. the structure and exterior of the house (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order,
- c. the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order,
- d. any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order,
- e. any furnishings provided by the landlord under the tenancy are capable of being used safely for the purpose for which they are designed, and
- f. the house has satisfactory provision for detecting fires and for giving warning in the event of fire or suspected fire.

Section 2

2007 - The final year of the Rent Assessment Panel for Scotland

During the year 2007, the Panel dealt with 151 Fair Rent cases and 14 Assured Tenancies. A breakdown of the number of cases decided by the Panel's Committees over the ten year period from 1998 to 2007 can be found at appendix B.

During the year 2007, the Panel was operating with 3 support staff seconded from the Scottish Government, and a total membership of 33 persons. The Panel had a legally qualified President, Ms Isabel Montgomery, and a Vice President, Mr Robert Buchan, who is a Chartered Surveyor. These are salaried part-time posts. The members are remunerated on a fee paid basis. The membership comprised 11 legally qualified chairpersons (seven female and four male), eight surveyors (one female and seven male) and fourteen housing members (six female and eight male). Details of the members of the Panel during 2007 can be found at appendix A.

Information regarding funding can be found in section 13. A breakdown of the budgetary figures can be found at appendix C.

There were no appeals to the Court of Session during the year 2007.

Section 3 Working towards the introduction of the new jurisdiction

It was clear from the outset that the introduction of the new jurisdiction would radically change the work of the Panel. Throughout 2006 and 2007, a considerable amount of time and effort was put into preparing for those changes. Those working within the organisation were determined to make sure that the Panel was ready to cope with the increased workload and different type of cases the new jurisdiction promised to produce.

The preparations made included the following:-

- Identifying groups of potential service users;
- Identifying the needs of those groups;
- Planning to meet those needs;
- Publicising the new service;
- Setting up a new website;
- Setting up an in-house mediation service;
- Recruiting additional members;
- Training existing and new members;
- Training a pool of mediators;
- Sourcing suitable venues for mediation sessions and Committee hearings;
- Ensuring accessibility of venues;
- Making provision for meeting the needs of service users with a disability;
- Making provision for meeting the needs of service users who do not have English as a first language;
- Creating a new corporate image.

Diversity

Respect for diversity lies at the heart of the **prhp** ethos. We aim to provide all service users with a service that meets their needs, regardless of gender, sexual orientation, race, ethnicity, religion age, or physical or mental ability. Our information leaflets are available in a number of languages and in different formats, including Braille. Information is also available on our website.

Mediation

An exciting new aspect of the new jurisdiction was the setting up of an in-house mediation service to assist parties in resolving problems without the need for the case to be referred to a committee. Setting up this new service involved selecting and training a pool of Panel members to act as mediators. Those selected to the pool of potential mediators were required to undertake, and satisfactorily complete, an accredited 40 hour course of training provided by SACRO, a Scottish Government sponsored organisation which specialises in a wide range of mediation

services. SACRO personnel were also involved in the preparation of the documents and literature which would be used by the in-house mediation service. The Panel President also underwent additional training and gained the Core Certificate of Competence in Mediation Skills awarded by Core Coaching, a training provider which is accredited by the Civil Mediation Council.

Members

In preparation for the anticipated increase in case load four additional surveyor members were appointed and joined the Panel in November 2007. Two members left the Panel during 2007. By the end of 2007 the number of members had increased to 35.

Training

An extensive programme of training was carried out over the two year period 2006 – 2007 to ensure that members were fully conversant with the new jurisdiction. Members were provided with a total of five days training during 2007 to equip them to deal with the new jurisdiction. Induction training and mediation training was also provided as appropriate.

The prhp web site

In this age of easy access to Information Technology, there was no doubt that a Panel web site was essential, both as a means of making people aware of the existence of the **prhp**, and also for providing useful information about the **prhp**. A new web site was therefore designed and established. This can be found at www.prhpscotland.gov.uk. Copies of the Committees' decisions can be found there.

The new image

The Panel was changing and would from 3rd September 2007 onwards have to meet the needs of a new and much more diverse group of service users than had previously been the case. It was anticipated that a significant number of this new group of service users would come from overseas and may not have English as a first language. The Panel needed a new image, one that was appropriate for the 21st century and would meet the needs of Scotland's increasingly diverse and multi cultural society. After much reflection, the new logo was chosen and the warm tones of orange and soft grey became the new corporate colours.

Section 4.

Implementation of the new jurisdiction and the Repairing Standard

The **prhp** went live on 3rd September 2007 and the provisions of the 2006 Act relative to the repairing standard and the **prhp**'s new jurisdiction came into effect.

In the course of this first reporting period 3 September to 31 December 2007, there were:-

- 28 new repairing standard applications received
- 7 applications were withdrawn
- 2 Repairing Standard Enforcement Orders (RSEOs) were issued
- 1 Case was referred to the Local Authority under Section 24(6)

Status of Repairing Standard cases as at 31 December 2007

Ongoing Decisions made Withdrawn

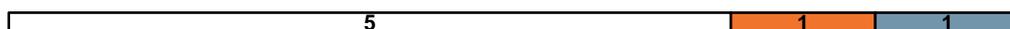


Of the cases that were withdrawn:-

- 5 landlords completed the repairs
- 1 application was held to be invalid
- 1 tenant vacated the property

Reason for withdrawal

Repair work completed Invalid application
 Tenant vacated

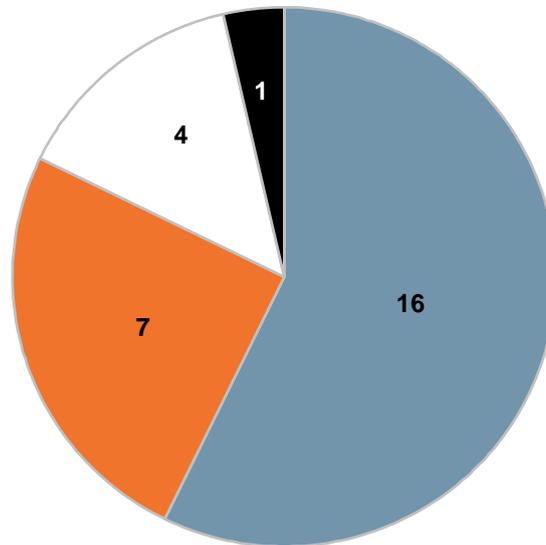


During this first reporting period, only one application included complaints about the landlord's management of the tenancy.

During this reporting period the breakdown of cases by area was as follows:

Breakdown of Repairing Standard cases by area for 2007 (3rd September – 31st December)

■ Glasgow ■ Aberdeen □ Edinburgh ■ Inverness



Although the number of applications received during this period may seem low, many more tenants contacted the **prhp** offices for further information and advice. A pro forma letter is available from the Panel offices and can be downloaded from the website. In many cases, tenants reported that sending this letter was sufficient to prompt the landlord to do the necessary repairs. The existence of an effective means of redress for tenants was sufficient in itself to encourage landlords to carry out the work that needed to be done.

Section 5. 2008 - The first full year of the Repairing Standard

In the course of the first full year of the Repairing Standard legislation there were:

- 115 Applications received.
- 50 withdrawn
- 25 RSEO's made
- 11 landlords complied on inspection of the property
- 12 Certificates of Completion issued
- 5 mediations, of which 4 resulted in an agreement being made

Status of Repairing Standard cases for 2008

Ongoing Decisions made Withdrawn



Of the cases that were withdrawn:-

- 26 were invalid applications
- 12 landlords completed the repairs
- 8 tenants vacated
- 4 cases were abandoned

Reason for withdrawal

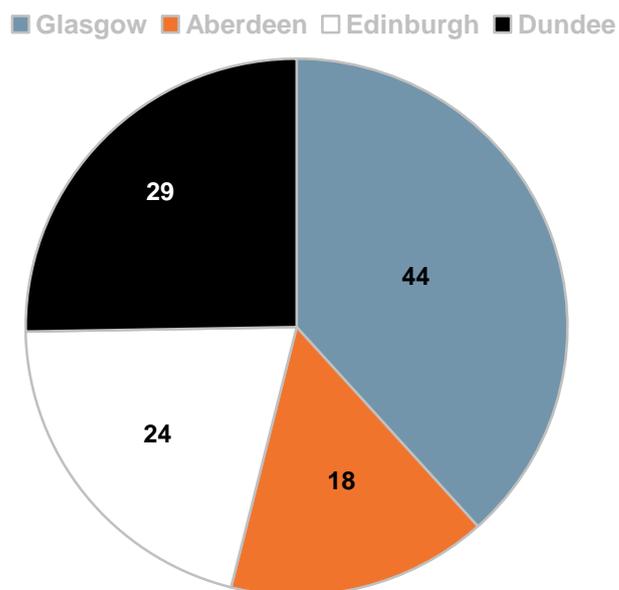
Repair work completed Invalid application
 Tenant vacated abandoned



During this reporting period, a total of ten applications included complaints about the landlord's management of the tenancy.

During this reporting period the breakdown of cases by area was as follows:

Breakdown of Repairing Standard cases by area for 2008



As in 2007, many tenants contacted the **prhp** offices for further information and advice. In many cases, the existence of the **prhp** was sufficient to prompt landlords to carry out the necessary repairs.

Section 6

Mediation – an alternative way to solve problems

The Private Rented Housing Panel was the first tribunal body in Scotland to introduce mediation as an alternative form of resolving disputes. Many people find the idea of going to a hearing before a Committee daunting, and mediation can often resolve the problem without the need for a Committee to become involved.

Mediation is a way of settling disputes informally without the expense, time and bad feeling often involved in using formal procedures. Parties must opt-in to mediation, but, if they do, mediation has many advantages. The mediation service is free of charge, flexible and confidential, and is staffed by trained mediators. Choosing mediation allows the tenant and landlord to work out a solution best suited to their needs, instead of having a solution imposed upon them by a Committee. Because people have found their own solution to their problems, they are more likely to carry out what they have agreed to do. Mediation can often improve the relationship between the landlord and tenant. Once people have had the opportunity to talk through the issues, each party is better able to understand the other person's point of view.

The Panel mediators are trained impartial people who are skilled in helping establish common ground in even the trickiest of situations. All of our members underwent a rigorous process of training and assessment carried out by SACRO, a Scottish Government sponsored organisation which is well established and highly regarded in the field of mediation provision.

Mediation is:-

- free of charge for the user
- a faster route to a solution
- flexible
- confidential
- effective

Section 7 **2008 – The traditional 1984 and 1988 Act jurisdictions**

The **prhp** continues to deal with all the jurisdictions formerly dealt with by the Rent Assessment Panel.

During the year 2008 the Panel dealt with 45 Fair Rent Cases (under the 1984 Act) and 9 Assured Tenancies (under the 1988 Act).

The changing economic climate can have a significant impact upon the private rented sector, and during 2008 Private Rented Housing Committees were very aware of the need to constantly re-evaluate rental levels in the light of the changing situation.

An important feature of the “Fair Rent” system is that the tenant is protected against inflated rental values which result from a shortage of suitable properties available for rent. In times of scarcity of available properties, prospective tenants will be less exacting in their demands and will pay more than they otherwise would in order to secure a suitable property. The Fair Rent” system protects the tenant in that situation. One of the factors Committees must take into account when determining Fair Rent cases, is whether or not there is a shortage of supply of similar properties to rent in that geographical area. This is called the “scarcity” factor, and, if scarcity exists, the Committee must adjust the rent they set to a lower figure so that the tenant does not have to pay more than he or she would normally be willing to pay simply because of a shortage of properties.

During 2008 Committees found that in most areas of Scotland there was a ready availability of properties to rent and that trend appears to be continuing. Most Committee decisions made during 2008 concluded that there was no scarcity in the market at the present time.

A breakdown of cases decided by the Committees over the ten year period from 1999 – 2008 can be found at appendix D.

Section 8

Appeals and visits

Parties have a right to appeal to a Court against a decision made by a Committee. In relation to cases under the 1984 Act and the 1988 Act, parties have the right of appeal to the Court of Session. In relation to cases under the 2006 Act, there is a right of appeal to the Sheriff in the Sheriff Court for the area in which the property to which the application relates is situated.

There were no appeals made to either the Court of Session or any Sheriff Court in 2007.

On 16th January 2008 the Panel received notice of an appeal having been made to the Court of Session in relation to a "Fair Rent" case. The appeal was sisted (i.e. held in abeyance) to allow the appellant to apply for Legal Aid and it is expected to be some time before the final outcome of the appeal is known.

During 2008 there were two appeals to a Sheriff in relation to cases under the new Repairing Standard jurisdiction. Both have since been dismissed. In the first case, the property in question has since been demolished.

In both appeals to the Sheriff, the appellants incorrectly cited the **prhp** as respondents. The correct respondent should be the successful party, be that landlord or tenant. Steps have been taken to publicise this position to reduce the risk of appellants wasting time and money in appealing against the wrong party.

There were no visits during 2008 from the Administrative Justice and Tribunals Council, or any other regulatory body.

Section 9

prhp members and staff

The staff and members are dedicated to delivering a first class tribunal service.

There is a Panel President and a Vice President. These are part-time salaried posts. The post of President was held throughout 2007 and 2008 by Mrs Isabel Montgomery, who is legally qualified and has been a chairman of the Panel since 1999. The post of Vice President is held by Mr Robert Buchan, who is a Chartered Surveyor. He has also been with the Panel since October 1999.

The President – Isabel Montgomery



The President sits at the head of the tribunal and is appointed by Scottish Ministers. She is personally responsible to Scottish Ministers for ensuring that the Panel's policies are compatible with those of Scottish Ministers. She is also responsible for formulating the Panel's strategy for discharging its statutory duties.

The Vice President – Mr Robert Buchan

The Vice President is traditionally a member of the surveying profession and provides advice to the President relative to issues or relevance to the work of the Panel. The Vice President carries out the duties of the President in his or her absence.



The Panel Secretary has responsibility for the management of the Panel Budget and for the day-to-day operations of the Panel. This post is currently held by Mrs Sara James who took up the post in March 2003, on secondment from the Scottish Government.

The Panel clerks process the cases administratively and clerk the hearings. Both are full time staff members dedicated to the panel. Both are on secondment from the Scottish Government. These posts are currently held by Mr Robert Shea and Mr Iain MacLean.

The staff and office bearers of the prhp



Left to right: Clerks: Robert Shea, Iain MacLean, Panel Secretary: Sara James, Vice President: Robert Buchan, Panel President: Isabel Montgomery

The members

Panel members are appointed by Scottish Ministers. Appointments are initially for a five year period, which can be extended.

A list of the Panel members of 2008 is attached as appendix E.

The Panel exists primarily to provide a pool of members from which individual committees can be made up. Each Committee consists of a legally qualified chairperson, a chartered surveyor and a housing member who has some knowledge, experience or expertise in the housing market.

The organisation

The **prhp** has the status of a Tribunal non-departmental body (NDPB). It is independent from the Scottish Government, and from local Government and the Rent Registration Service.



The prhp offices are at 140 West Campbell Street, Glasgow. The offices are centrally located, and are convenient for both Queen Street and Central train stations, and Buchanan Street bus station. There is an independently run indoor car park directly across the road.

The **prhp** travel plan can be seen at appendix F

The **prhp** offices are located within a building which is compliant with the Disability Discrimination Act 2005, and are fully accessible for people with a disability.

The **prhp** holds committee and mediation hearings at the Panel Offices whenever it is appropriate to do so, but generally hearings take place in venues as close to the property under consideration as possible. The **prhp** makes every effort to ensure that venues are compliant with the Disability Discrimination Act 2005.

Section 11

How we operate in repairing standard cases

Making an application to the prhp is very straightforward. An application form is available from the prhp offices or from the web site which guides the tenant through the information which must be supplied. The tenant is required to notify the landlord of the work that needs to be done before an application can be accepted.

Once an application is received at the **prhp** offices it will be checked carefully to see if it provides all the necessary information. If it does not, the tenant will be contacted and advised what else needs to be submitted. The tenant will be given time to supply this further information.

The application will then be passed to the president who must decide within 14 days whether to refer the application to a Committee or reject it. The President will only reject the application in certain very limited circumstances.

The President can delay referring the application if it appears that there is a reasonable prospect of the dispute being resolved by the parties. If the tenant has indicated that he or she is willing to go to mediation then the President will usually instruct that the landlord be contacted and asked if he or she is also willing to agree to mediation. If so, a mediation hearing will be set up. If not, the case will be referred to a committee.

A Committee is made up of a legally qualified chairperson, a chartered surveyor and a housing member. The Committee will normally have the services of a clerk.

The same Committee will carry out an inspection of the property and hold a Hearing, normally on the same day. The Hearing will take place in a venue located as conveniently as possible for the parties involved.

The Hearing is conducted with a level of formality which is appropriate to the parties and issues in the case. Interpreters will be provided where necessary, and a hearing loop system is available if required. The decision is not issued immediately, but will be issued as soon as practicable after the Hearing. The decision will be accompanied by a full statement giving reasons for the committee's decision.

If the Committee decide to make a Repairing Standard Enforcement Order (RSEO) this will be registered in the relevant land register for the property in question. This order specifies what work has to be done and tells the landlord how much time has been allowed for the work to be carried out. If the work is not done within that timescale the committee can impose further orders and can report the landlord's failure to the Procurator Fiscal for prosecution

The Panel is funded by the Scottish Government and was provided with a Budget of £428,000 for the financial year 1st April 2007 to 31st March 2008. During that period, the Panel actually spent £386,482. This underspend arose because it was impossible to predict with any accuracy how many cases would be brought in the first few months of the new jurisdiction.

A breakdown of the budgetary figures can be found at appendix C.

The budget for the **prhp** for the financial year 1st April 2008 to 31st March 2009 was £414,000. During that same period, the amount the **prhp** actually spent was £377,877. The Panel was able to make this saving on the projected budget because further recruitment for new members, which had been budgeted for, did not require to be carried out.

Until the new jurisdiction became operational, it was very difficult to predict with any degree of accuracy how many cases would be brought to the Panel. The number of cases the **prhp** has to deal with during the course of the year, and whether the cases require to be considered at a hearing, are factors which impact greatly on the cost of providing the service. The length of the hearing is another factor which has significant cost implications.

The **prhp** provides a cost effective service to the public and seeks to keep costs to the minimum require to provide an efficient and effective service. The Panel will continue to strive to reduce its spending and will ensure that all resources are used effectively.

A breakdown of the budgetary figures can be found at appendix G.

Section 13

Frequency of complaints about tenancy management

In terms of section 29 of the Housing (Scotland) Act 2006 the **prhp** must record and report the frequency with which applications to the Panel (whether valid or invalid within the terms of section 22) include complaints about the landlord's management of the tenancy.

During the period from 3rd September – 31st December 2007 there was one such complaint.

There were ten such complaints during the period from 1st January - 31st December 2008.

It should be noted, however, that the **prhp** has no power to deal with complaints about the landlord's management of the tenancy, and this is made clear in the information leaflets which give details of the services provided by the Panel. The small number of such complaints therefore should not be regarded as evidence that problems relating to the landlord's management of the tenancy do not exist.

Section 14

Planning for the future

Training

We recognise that focused, relevant and high quality training is essential to ensure that members are fully equipped to carry out their role as members of decision making Committees.

To this end, a series of training events is scheduled to take place during 2009 - 2010. Such events will ensure that members are fully equipped with the necessary knowledge and range of skills to conduct and decide cases and to continue to improve the service they deliver.

Staff

We will continue to ensure adequate and appropriate training for staff and provide opportunities for members of staff to use their initiative and individual skills for the benefit of the Panel. We will continue to foster a positive working environment where members of staff are encouraged to use their knowledge and skills in an environment free from harassment, victimisation, discrimination and bullying.

Corporate governance

We will continue to strive for continuous improvement by meeting our targets and improving our service delivery.

Making Scotland greener

We will look at ways to cut down our ecological footprint by promoting the use of electronic systems and bearing the environment in mind when we make our travel arrangements.

Communication with potential service users

We will continue to improve our web site to provide service users with the most up-to-date and relevant information.

We will continue our policy of adding to the list of languages in which our information leaflets are available to continue to meet the needs of our changing diverse society.

We will look at how to provide information in other formats, such as CD or DVD to meet the needs of those who may not be literate in English, or at all.

Section 15

Our Aim and our values

Our aim

The Private Rented Housing Panel (**prhp**) will carry out its statutory functions in a fair and impartial manner, and will provide an accessible, high quality and cost effective service to the Scottish community through the committed and professional approach of its staff and members.

Our values

- We are an independent body.
- We respect diversity and will provide fair treatment for everyone.
- We will be fair and unbiased in the decisions we make.
- We value our staff and members and will ensure that they are equipped with the training and information they require to fulfil their role most effectively.
- We will use our resources efficiently and cost effectively.
- We will seek effective liaison with third parties and representatives of the Scottish Government.
- We will work as a team to meet the targets we set.

This aim and these values define the sort of organisation that we are. We ask that our performance is judged by them as much as by the way we achieve our targets.

Our pledge

Every Panel member and every member of staff is fully committed to providing the best possible service we can to all who come to us, no matter what their gender, sexual orientation, race, ethnicity, religion age, or physical or mental ability may be. We will do all we can to make our service efficient, accessible and user friendly.

Glossary

Appellant – the person who makes the appeal

Assured tenancy – a private rented sector tenancy entered into after 2nd January 1989 provided it is the tenant's only or principal home and it does not fall within any of the exceptions listed in schedule 4 of the 1988 Act.

Corporate governance – the set of processes, customs, policies, laws and institutions affecting the way the organization is directed.

Court of Session – the supreme civil court of Scotland

Diversity – the state of being varied

Fair rent – a rent fixed in the way set out in section 48 of The Rent (Scotland) Act 1984

Housing member – The member of the Committee who is selected for his or her expertise in housing.

Induction – training for new members

Jurisdiction – having the power to make legal decisions and judgements

Legislative provisions – that which the law provides

Mediation – a fair and efficient process to help parties resolve their differences and reach agreement.

Part VII Contract – a contract between a tenant and a landlord who lives in the same house and has it as his principal home.

Protected tenancy – a tenancy where the contract between the tenant and the landlord is still in force.

Regulated tenancy – a tenancy which gives security of tenure and also protects the tenant from inflated rents arising just from a shortage of supply of properties to let.

Rent Officer – an independent, statutory officer, appointed by the Secretary of State for Scotland, who determines and registers rents for houses let on regulated tenancies.

Rent Registration Service - The Rent Registration Service is set up by the Scottish Government and has three main functions, one of which is to provide valuations for tenants and landlords for fair rent registrations. Rent Officers working for the Rent Registration Service will assess a "Fair Rent" for a regulated tenancy. Either the landlord or tenant can then refer the case to the **prhp** if dissatisfied with the Rent Officer's decision.

Repairing Standard – the standard set out in section 13 of the 2006 Act.

Reporting period – 1st January – 31st December in any year except 2007, when the reporting period is 3rd September 2007 – 31st December 2007.

Respondent – the party against whom an application or appeal is made

SACRO – A Scottish organization which provides amongst other things mediation services and training for mediators.

Seconded – temporarily transferred to another position or role

Sheriff Court – Sheriff Courts provide the local court service in Scotland with each court serving a sheriff court district within a Sheriffdom.

Short Assured Tenancy – a special type of assured tenancy which gives the landlord special rights to repossess the house he has let, and gives rights to the tenant to apply to the **prhp** for a rent determination.

Sisted – held in abeyance until the parties to the action are ready to proceed.

Statutory Tenancy – the tenancy created when the contractual assured tenancy is brought to an end by the landlord serving a notice to quit, or where a tenant has succeeded to the tenancy.

“The 1984 Act” – The Rent (Scotland) Act 1984

“The 1988 Act” – The Housing (Scotland) Act 1988

“The 2006 Act” - The Housing (Scotland) Act 2006

MEMBERS OF THE RENT ASSESSMENT PANEL FOR SCOTLAND DURING 2007

CHAIRMEN

Mr Andrew Cowan LLB(Hons) Dip LP
 Mrs Aileen Devanny LLB NP
 Mrs Joy Docherty BL
 +Mrs Juliet Grant-Hutchison LLB Dip ICEN NP
 Mr Ron Handley LLB
 Ms Judith Lea LLB MBA MSc
 Mrs Anne McCamley BA LLB NP
 Mrs Isabel Montgomery BA(Hons) NP (President)
 Mr Derek O'Carroll LLB (Hons) Dip LP
 Mrs Jacqui Taylor LLB(Hons) DipLP NP
 Mr Steven Walker LLB(Hons) Dip ACI Arb

SURVEYORS

Mr Angus Anderson
 # Mr Mark Andrew FRICS FAAV
 Mr Robert Buchan BSc FRICS (V-Pres)
 Mr George H Campbell FRICS
 Mr Alan T English FRICS
 Mr David Godfrey ARICS
 Mr Colin Hepburn ARICS
 Mrs Sara Hesp LLB (Hons) BA(Hons) MRICS
 Mr Mike Links FRICS
 Mr Donald Marshall FRICS
 # Mr Ian Mowatt B.Sc FRICS
 # Ms Geraldine Wooley

LAY MEMBERS

Mrs Tanveer Ahmed
 Mrs Christine Anderson
 Mr John Blackwood
 Mrs Susan Brown
 Mr Scott Campbell
 «Mr Bill Edgar
 Mr Chris Harvey
 Mr Michael Innes
 Mr Tom Keenan
 Ms Irene Kitson
 Mr Andy McKay
 Ms Liz Nicholson
 Mr James Riach
 Mrs Linda Robertson

- + Left the Panel in February 2007
- « Left the Panel in September 2007
- # Appointed to the Panel November 2007

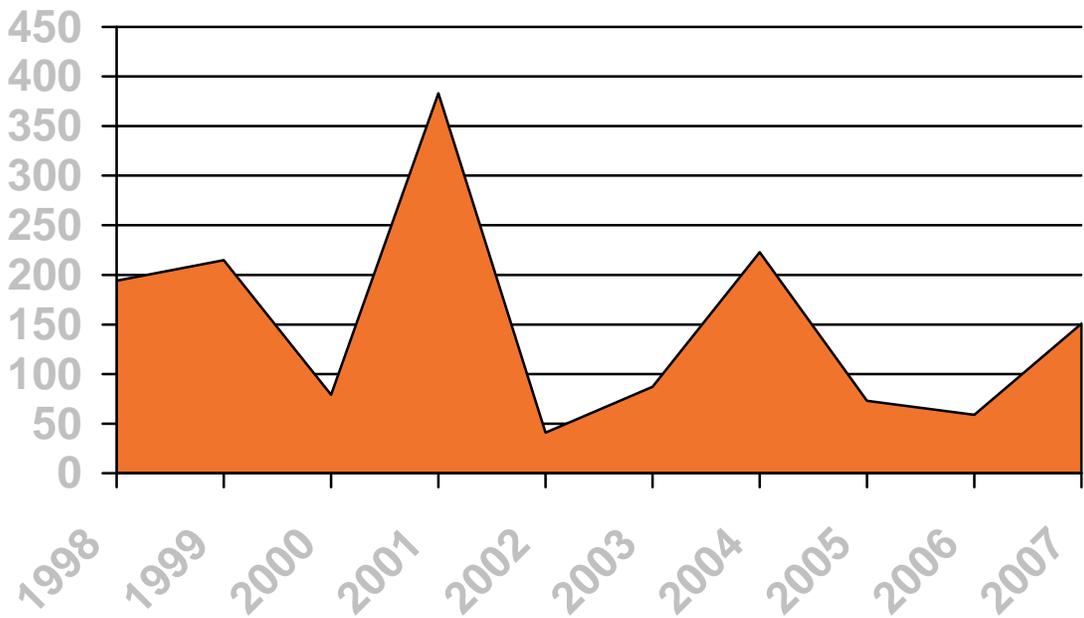
APPENDIX B

CASES DECIDED BY RENT ASSESSMENT COMMITTEES 1998-2007

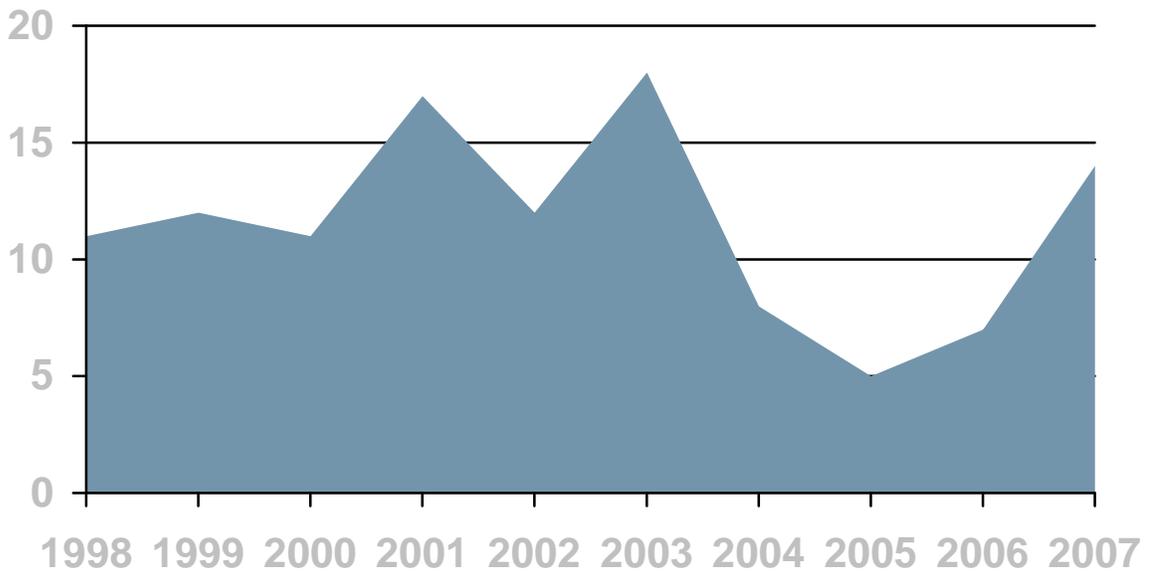
	1998	1999	2000	2001	2002
Fair Rent cases	194	215	79	383	41
Assured Tenancies	11	12	11	17	12
Part VII Contracts	1	1	-	-	1
TOTAL	206	228	90	400	54

	2003	2004	2005	2006	2007
Fair Rent cases	87	223	73	59	151
Assured Tenancies	18	8	5	7	14
Part VII Contracts	1	1	-	-	-
TOTAL	106	242	78	66	165

Regulated



Assured



PRIVATE RENTED HOUSING PANEL

Expenditure and Management Statement for the financial year 2007/08*

Panel and Staff Numbers:

President and Vice President
Members (as at 1st January 2007)

11	Chairmen	comprising 7 female and 4 male
8	Surveyors	comprising 1 female and 7 male
14	Lay members	comprising 6 female and 8 male

Support Staff 3

Expenditure Item	Actual 2006/07	Budget 2007/08	Actual 2007/2008	Variance
Staff Salaries and Expenses:				
President and Vice President	26573	30000	29149	-851
Support Staff	56395	63000	66212	3212
Staff Expenses (T&S)	2211	5000	1880	-3120
Members Expenses:				
Members Fees	75564	108000	93242	-14758
Members Expenses	10871	12000	10636	-1364
Committee Costs:				
Legal Expenses	-	4000	-	-4000
Training	8795	10000	16147	6147
Hearing Costs	48	16000	1488	-14512
Hospitality	1184	2000	2383	383
Central Costs:				
Accommodation	63023	55000	57573	2573
Postal Costs	1358	2000	1260	-740
Library	934	1000	592	-408
Advertising	15100	15000	8775	-6225
Stationery	811	1000	1406	406
Office Machinery	4584	4000	1976	-2024
Printing/Copying	246	49000	37352	-11648
Telecom Charges	2147	4000	2527	-1473
Computer Charges	1309	47000	53884	6884
TOTAL	271153	428000	386482	-41518

* The above expenditure is shown on the basis of the financial year 1st April 2007 to 31st March 2008.

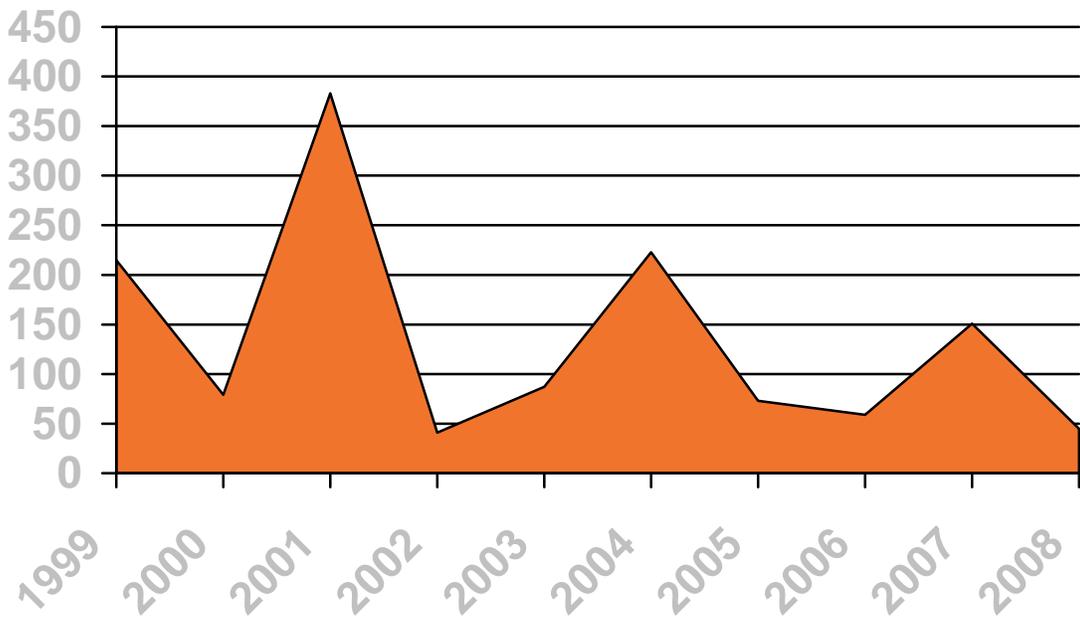
APPENDIX D

CASES DECIDED BY RENT ASSESSMENT COMMITTEES 1999-2008

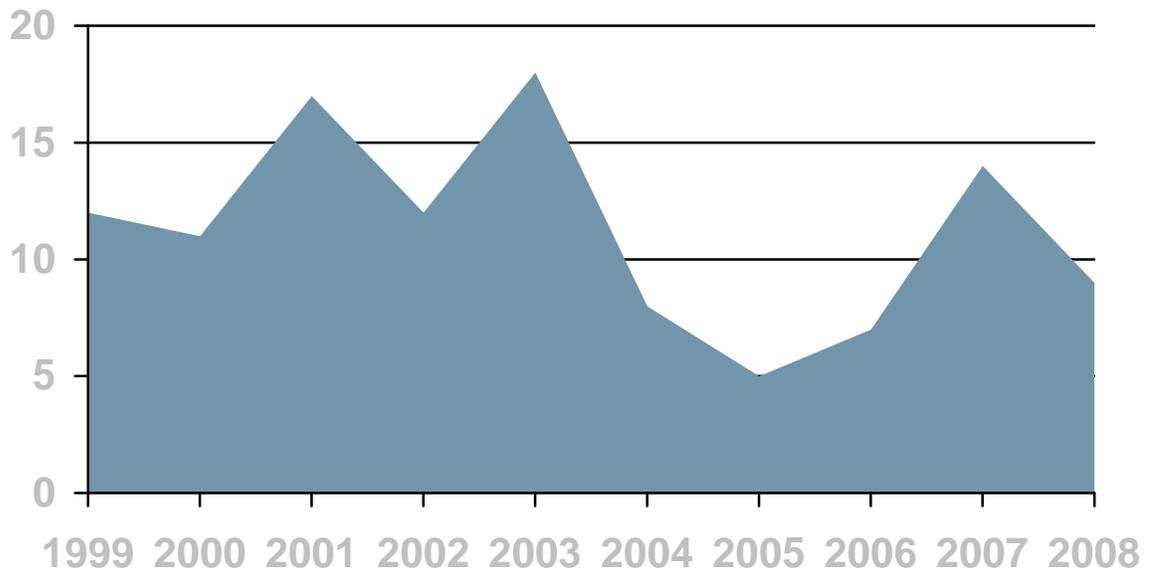
	1999	2000	2001	2002	2003
Fair Rent cases	215	79	383	41	87
Assured Tenancies	12	11	17	12	18
Part VII Contracts	1	-	-	1	1
TOTAL	228	90	400	54	106

	2004	2005	2006	2007	2008
Fair Rent cases	223	73	59	151	45
Assured Tenancies	8	5	7	14	9
Part VII Contracts	1	-	-	-	-
TOTAL	242	78	66	165	54

Regulated



Assured



MEMBERS OF THE PRIVATE RENTED HOUSING PANEL DURING 2008

CHAIRMEN

Mr Jim Bauld LLB(Hons) Dip LP
 Mr Andrew Cowan LLB(Hons) Dip LP
 Mrs Aileen Devanny LLB NP
 « Mrs Joy Docherty BL
 Mr Ron Handley LLB
 Ms Judith Lea LLB MBA MSc
 Mrs Anne McCamley BA LLB NP
 # Mr Ewan Miller LLB(Hons) Dip LP NP
 Mrs Isabel Montgomery BA(Hons) NP (President)
 Mr Derek O'Carroll LLB (Hons) Dip LP
 Mrs Jacqui Taylor LLB(Hons) Dip LP NP
 Mr Steven Walker LLB(Hons) Dip ACI Arb

SURVEYORS

Mr Angus Anderson
 Mr Mark Andrew FRICS FAAV
 Mr Robert Buchan BSc FRICS (V-Pres)
 Mr George H Campbell FRICS
 Mr Alan T English FRICS
 Mr David Godfrey ARICS
 Mr Colin Hepburn ARICS
 Mrs Sara Hesp LLB (Hons) BA(Hons) MRICS
 Mr Mike Links FRICS
 Mr Donald Marshall FRICS
 Mr Ian Mowatt B.Sc FRICS
 Ms Geraldine Wooley

HOUSING MEMBERS

Mrs Tanveer Ahmed
 Mrs Christine Anderson
 Mr John Blackwood
 Mrs Susan Brown
 Mr Scott Campbell
 Mr Chris Harvey
 Mr Michael Innes
 Mr Tom Keenan
 Ms Irene Kitson
 Mr Andy McKay
 Ms Liz Nicholson
 Mr James Riach
 Mrs Linda Robertson
 # Mr Michael Scott
 # Mr John Wolstencroft

« Left the Panel in September 2008

Appointed to the Panel October 2008

Private Rented Housing Panel

Travel Plan

- 1.** The Private Rented Housing Panel (**prhp**) is located in a suite of 6 rooms on the third floor of a traditional office building at 140 West Campbell Street, Glasgow conveniently located for public access in the centre of the city.
- 2.** Both Central station and Queen Street rail stations are within easy walking distance of the office. The office also has easy access to bus stops, Buchanan Bus Station and the underground rail system. The nearest bus stop is located around the corner from the office, with the main bus station a 10 minute walk away.
- 3.** The Private Rented Housing Panel offices have no designated car parking spaces. There is street parking with meters outside the office. There are two public car parks nearby. One is situated directly across from the office and there is another within a 5 minute walk.
- 4.** The Private Rented Housing Panel has 3 members of staff all of whom commute by rail to work. The Panel's work covers all areas of Scotland and the Panel has 38 part time members, including the President and Vice President.
- 5.** When attending hearings and inspections, the members are encouraged to travel where possible using public transport. This would normally mean travelling by train. Because of the extensive jurisdiction of the Panel, which includes many rural destinations, public transport is not always a feasible option. Where travel by car is a necessity, car sharing is utilised where that is the most cost and resource effective option. The surveyor member of the Panel is normally the appointed driver for a Committee.

PRIVATE RENTED HOUSING PANEL

Expenditure and Management Statement for the financial year 2008/09*

Panel and Staff Numbers:

President and Vice President
Members (as at 1st January 2008)

10	Chairmen	comprising 6 female and 4 male
12	Surveyors	comprising 2 female and 10 male
13	Housing Members	comprising 6 female and 7 male

Support Staff 3

Expenditure Item	Actual 2007/08	Budget 2007/08	Actual 2008/2009	Variance
Staff Salaries and Expenses:				
President and Vice President	29149	32000	29788	-2212
Support Staff	66212	70000	68504	-1496
Staff Expenses (T&S)	1880	5000	7143	2143
Members Expenses:				
Members Fees	93242	150000	131382	-18618
Members Expenses	10636	15000	21297	6297
Committee Costs:				
Legal Expenses	-	4000	2869	-1131
Training	16147	10000	7059	-2941
Hearing Costs	1488	15000	11329	-3671
Hospitality	2383	2000	977	-1023
Central Costs:				
Accommodation	57573	70000	76096	6096
Postal Costs	1260	3000	2646	-354
Library	592	1000	410	-590
Advertising	8775	15000	Nil	-15000
Stationery	1406	2000	2085	85
Office Machinery	1976	3000	1463	-1537
Printing/Copying	37352	6000	3046	-2954
Telecom Charges	2527	4000	2623	-1377
Computer Charges	53884	7000	9160	2160
TOTAL	386482	414000	377877	-36123

* The above expenditure is shown on the basis of the financial year 1st April 2008 to 31st March 2009.