


**Rc. Assessment Panel for Wales**

<b>Notice of the Rent Assessment Committee Decision</b>		File Reference Number:
Address of Premises 100 Markham Crescent Oakdale Blackwood NP12 0LY	The Committee members were Mr P H WILLIAMS MR N F G HILL	
(1) The Committee has decided that the rent for the above premises is:  The new rent will be entered by the rent officer in the rent register.	£ 61.50p per week  (This amount excludes council tax and water rates but includes any amounts entered in boxes 3-5 below.)	
(2) The effective date is: The new rent will apply from this date.	10 <sup>th</sup> July 2012	
(3) The rent is not to be registered as variable.		
(4) The amount for services is:	Not Applicable	
(5) The amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance is:	Not Applicable	
(6) The rent is not exempt from the maximum fair rent because of repairs or improvements carried out by the landlord.		
(7) Details (other than rent) where different from Rent Register entry: Not Applicable		
Date of decision: <u>10<sup>th</sup> July 2012</u>	Chairman  <u>Paul H Williams</u>	
<b>If the fair rent the Committee determined was higher than the maximum fair rent, the limit on fair rent increases may apply. If this is the case, the uncapped fair rent the committee determined is shown in box 8. This is shown for information purposes only and does not affect the rent payable.</b>		
(8) The uncapped fair rent was: £62.00p		

**DECISION OF THE RENT ASSESSMENT COMMITTEE**  
**Re: 100 Markham Crescent Oakdale Blackwood NP12 OLY**

We were duly convened as a Rent Assessment Committee at Llansoy, Usk on the 10<sup>th</sup> July 2012. We had before us a reference from the Rent Officer.

**The Reference**

The Landlord of the Property, Shaw Healthcare, applied on the 16<sup>th</sup> January 2012 for the subject property to be re-registered at £56.50p a week. It then stood at £54 a week. The Rent Officer registered a new fair rent on the 30<sup>th</sup> April 2012 effective from the 15<sup>th</sup> June 2012 at £61 a week. Had it not been for the provisions of the Rent Acts ( Maximum Fair Rent ) Order 1999 ( hereafter called the Order ) the fair rent would have been £62 a week

**The Inspection**

The Committee inspected the property in the presence of Mrs Lloyd, the wife of the Tenant. The property is mid-terraced and built circa 1900 and is brick rendered and spar dashed with an asbestos slate roof. There is a small garden and parking area to the front and a rear garden and concrete parking area to the rear, which leads onto a tarmac lane. The property has a living room, a bay windowed dining room, kitchen, small vestibule, and there is a hallway. There is also a water closet on the ground floor. The first floor comprises a bathroom with a bath, water closet and wash hand basin. There are also 3 reasonably sized bedrooms.

The property had been modernised. The Landlord had installed UPVC windows throughout and a UPVC front door. It had replaced the Tenant's central heating system with a full gas boilered central heating system. It had added a window in the vestibule about 20 years ago and had installed new kitchen units. The Tenant had provided a new kitchen other than the said Units. The Landlord had also fitted a stair rail to the outside rear steps.

The Tenant had also carried out considerable improvements which we have disregarded in accordance with Section 70 (3) of the Rent Act 1977 and hence not taken into account in assessing the fair rent. In particular, the Tenant had fitted eight internal doors and a back door and provided all the floor coverings. The Tenant had replaced the Landlord's bathroom fittings and surfaced the walls and laid a new floor, and installed a gas fire in the living room. We noted that the coal fire in the dining room was still useable. The Tenant had also artexed some ceilings and purchased an electric oil heater for the vestibule. The Tenant had recently replastered the hallway, staircase, landing and some ceilings. He had installed some panelling in the rear bedroom. Furthermore, he had laid chippings for a car parking area at the front and erected fencing and a gate in the rear garden and extended the concrete parking area. He had also built a substantial shed at the rear which was used as an utility room and store. The Tenant had also installed loft insulation some 20 years ago.

Whilst the electrical system has not been renewed for at least 30 years the Landlord does have the system checked. It will be appreciated from the above that the property is in very good condition and well decorated, not least through the efforts of the Tenant and his spouse.

The responsibility for external and internal repairs and the exterior decoration is that of the Landlord and the Tenant is responsible for internal decoration in accordance with the provisions of Section 11 of the Landlord and Tenant Act 1985

Oakdale is a small town which originally grew through the mining industry. It has most urban amenities and a regular bus service. The property is close to a small shopping area, a park, a Community Centre and a rugby ground and is fronted by a good sized road. Oakdale is approximately 3 miles from the larger town of Blackwood.

**The Hearing**

The hearing was by way of written representations. The Landlord had stated that it was content with the registered fair rent and advised that similar properties were currently being let at £96 a week on an Assured Shorthold basis. The Tenant thought it very unfair that the Rent officer had registered a higher rent than that claimed by the Landlord and was concerned over the financial consequences of a rise of £7 a week. The Rent Officer has an obligation to register a rent in accordance with the statutory provisions and must also take account of the rents shown on the Rent Register. An extract from the Register was attached to the papers before us and it will be noted that the rents for the first 5 properties range from £91.15 to £114.31p for similarly sized premises. Whilst these properties are unlikely to come within the Fair Rent provisions it does give a guide to the market rents, which both the Rent Officer and our Committee have to take into account. Given the good overall size of the subject property it is reasonable for the Rent Officer to take the market rent at the mid range of £103.

This Committee is subject to the same considerations and constraints as the Rent Officer, although we are entirely independent of the Rent Officer Service. In addition, we are prevented from taking the personal circumstances of tenants into consideration. We understand that the Tenant is concerned over the level of increase but the fact remains that rental values are rising as the demand is increasing. The Government recognised the problem in 1999 and brought in the Order which creates a cap. This cap reduced the rent assessed by the Rent Officer by £1. Unfortunately, the Retail Prices Index has also increased since the Rent Officer determined the fair rent and this will impact on our own calculations.

#### Our Findings

The subject property is a 3 bedroomed mid terraced property with double glazing and a full gas central heating system. It is in very good condition. We have disregarded the considerable improvements made by the Tenant

#### Scarcity

The Rent Officer has assessed scarcity at about 20%. We also consider that the demand for rented properties in Oakdale exceeds the supply and we agree with the percentage. In accordance with Section 70 (2) of the Rent Act 1977 we have disregarded this element.

#### Decision

We find that the market rent for the property, in good condition and with central heating, carpets and curtains, and a modern kitchen and bathroom to be £103 a week. As the Tenant has provided the carpets and curtains, and carried out improvements to the kitchen and bathroom we have adjusted the market rental figure as below.

Our assessment of the fair rent is as follows:-

Market Rent		103.00
Less adjustments:		
Carpets and Curtains	12.00	
Basic bathroom and kitchen	13.00	<u>25.00</u>
		78.00
Deduct scarcity at 20%		<u>16.00</u>
	Fair Rent	<u>£62.00p</u>

We then considered the Order and concluded that it did apply. We accordingly determine that the fair Rent shall be £61.50p per week exclusive of rates and water rates.

For the purposes of Section 72(1) of the Rent Act 1977 (as amended) it is recorded that this Committee made its decision on the 10<sup>th</sup> July 2012

Date: 13<sup>th</sup> July 2012 CHAIRMAN

