

Rent Assessment Panel for Wales

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| Notice of the Rent Assessment Committee Decision | | File Reference Number: RAC/011/08/15 |
| Address of Premises 2 Glynorig Cemmaes Powys SY20 9PR | The Committee members were Andrew Grant David Evans | |
| (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. | £83 -30 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. | 3 rd November 2015 | |
| (3) The rent is not to be registered as variable. | | |
| (4) The amount for services is: | Nil | |
| (5) The amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance is: | Nil | |
| (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: | | |
| Date of decision: 3 rd November 2015 | Chairman _____ | |
| 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. | | |
| (8) The uncapped fair rent was: Not applicable as this is a first registration. | | |

Y TRIBIWNLYS EIDDO PRESWYL
RESIDENTIAL PROPERTY TRIBUNAL
RENT ASSESSMENT COMMITTEE

Reference: RAC/0011/08/15

Property: 2 Glynorig, Cemmaes, Powys, SY20 9PR

Landlord: Westcross Properties Limited

Tenant: Mrs Morfudd Humphreys

Committee: Andrew Grant, Chairman
David Evans FRICS, Surveyor

Reasons for the Decision of the Rent Assessment Committee

1. We were duly convened as a Rent Assessment Committee On the 3rd November 2015 under the provisions of the Rent Act 1977.

The Reference

2. We had before us a reference from the Rent Officer (Wales) in respect of 2 Glynorig, Cemmaes, Powys, SY20 9PR ("the property"). The landlord had appealed against the rent of £76.00 per week as determined by the Rent Officer and effective from the 4th August 2015.
3. On the 10th June 2015 Westcross Properties Limited ("the landlord") had made an application for registration of a fair rent of £125 per week. The landlord, in its application, stated the current rent to be £348 per month.
4. The Rent Officer proceeded to deal with the application and determined the fair rent to be £76.00 per week.
5. By way of a letter dated the 13th August 2015 the Landlord objected to the rent as determined by the Rent Officer and in consequence the matter comes before this committee.

The Inspection

6. The Committee inspected the property on the 3rd November 2015. Also present at the inspection were the tenant, Mrs Humphreys, Mr and Mrs Andrews of the Landlord company, Mrs Sale (the tenant's daughter) and Gwyneth Williams (the tenant's sister)
7. The property is semi detached and is located in the village of Cemmaes which is situated about 7 miles from the market town of Machynlleth. It is close to, but set back from, the A470 road. The property is approached by a pedestrian access from the road and crosses the grounds of the adjoining house.

8. The village has a public house and a church but the village shop closed some years ago.
9. Cemmaes is situated in the picturesque Dyfi valley and the nearest main shopping centre is Machynlleth.
10. The property is constructed mainly of brick and render walls under a slated roof and currently provides the following accommodation –

Ground Floor – Covered porch area, hallway, living room, lounge, breakfast room, and kitchen.

First Floor – Landing, bathroom and 3 bedrooms.

Second Floor – Landing, attic bedroom / store room 1 with sloping ceilings, attic / store room 2 with sloping ceilings.

Outside – Forecourt, external stores, spacious grounds mainly located to the side of the property. There is a semi detached garage situated a short distance from the property which can be accessed on foot from the property across the grounds of the adjoining house. The garage is constructed mainly of timber and corrugated iron sheets and enjoys a direct vehicular access to the A470.

Services – Mains water and drainage, electricity together with a limited number of storage heaters (which were not tested).

11. The property has been well maintained internally by the tenant. However, during our limited inspection a number of problems were detected in the main structure of the building. For instance, there were signs of rising damp in the ground floor walls together with penetrating dampness in the walls and ceilings of two bedrooms on the first floor. Paintwork was also peeling from some of the external joinery.
12. The property did not have any central heating. The windows were not double glazed with the exception of two small windows on the second floor of the property.
13. The tenant said that when the property was originally let it lacked any substantial kitchen fittings. The current kitchen units were installed by the tenant at her own expense. The tenant also said that she had provided the electrical storage heaters together with some secondary double glazing to some of the windows. We are informed that recently the tenant had paid to repair the bathroom fittings and water supply.
14. We were informed that the property was last re wired for electricity in the 1990's.
15. In assessing the fair rent the committee would look first to market rent in the same area for similar properties. However, the subject property would need updating in order to be let on an Assured Shorthold Tenancy. Central heating would need to be installed and the damp issues would need to be resolved.

The Hearing

16. At the hearing the landlord was represented by Mr Mark Andrews. The tenant was represented by her daughter, Mrs Sale and the tenant's sister, Mrs Williams.
17. The landlord made submissions to the effect that the rental figure as determined by the rent officer was too low. He acknowledged that there was no furniture provided and that this was relevant as regards a rental figure.
18. His first submission was that the market rental figure adopted by the Rent Officer was unrealistic given current rental levels for similar properties.
19. He provided to the Committee particulars of various properties which he relied upon as being evidence of rental levels for comparable properties in the area.
20. His second submission was that the adjustments made by the Rent Officer in calculating the final rent were unreasonable. In particular he said that there should not be any adjustment to the market value in respect of the age or character of the property. He also submitted that there was no scarcity of property for let in the area and accordingly there should not be any adjustment for scarcity.
21. In closing he stated that in his view the open market rental value of the property should be £600.00 per calendar month.
22. In response Mrs Sale indicated that the rent on the property had already been increased within "the last few years " .
23. She went on to point out that the properties relied upon by the landlord as comparable were not comparable as they were all better served by local amenities. She said the property was very rural and did not have any regular bus service and there were no other amenities in the village at all.

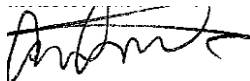
Decision

24. We considered the representations from both the landlord and tenant and had regard to the figures produced by the Rent Officer.
25. We did not consider that the comparable evidence produced by the landlord was of much assistance as the properties were mainly properties with modern amenities and in several cases the properties were in areas far beyond that in which the subject property was situated.
26. The Rent Officers calculation showed that he started with a market value of £126.00 per week or £546.00 per month. From our own knowledge we felt this to be too low. We felt the starting point should be £130 per week or £563.33 per month.
27. We then made deductions to take into account the basic nature of the property without tenant's improvements, condition of the property and the scarcity which we considered still existed for this type of property.

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| Market Rent | | £130.00 |
| Lack of central heating | £8.00 | |
| Lack of soft furnishings /curtains and carpets | £5.00 | |
| Lack of kitchen | £5.00 | |
| Condition of property | £8.00 | |
| Lack of double glazing | £6.00 | £32.00 |
| | | £98.00 |
| | Scarcity at 15% | £14.70 |
| | | <u>£83.30 per week</u> |

28. The rent to be registered is therefore £83.30 per week.

Dated this 17th day of November 2015.



Andrew Grant
Chairman

