

**Notice of the Rent Assessment Committee Decision and
Register of Rents under Assured Periodic Tenancies
(Section 14 Determination)**

Housing Act 1988 Section 14

Address of Premises2 Tan y Castell, Castle Street, Builth
Wells, Powys, LD23DJ**The Committee members were**Mr Jim Shepherd - Chairman
Mr Roger Baynham - Surveyor**Landlord**

Mid Wales Housing

AddressTy Canol House, Ffordd Croesawdy, Drenewydd
Powys, SY161AL**Tenant**

Mrs Jill Perola

**1. The rent
is:**

£320.29

Per

month

**(excluding water rates & council tax
but including any amounts in paras
3&4)****2. The date the decision takes
effect is:**

1st April 2016

***3. The amount included for
services is**

n/a

Per

n/a

4. Services charges are variable and are not included*5. Date assured tenancy
commenced**

5th October 2000

**6. Length of the term or rental
period**

Monthly periodic tenancy

**7. Allocation of liability for
repairs**

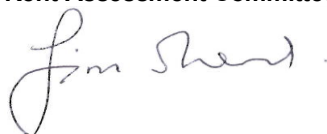
Landlord

8. Furniture provided by landlord or superior landlord

n/a

9. Description of premises

Two bedroom flat

Signed by the Chairman of the
Rent Assessment Committee.**Date of Decision**

28/6/16

**Y TRIBIWNLYS EIDDO PRESWYL
RESIDENTIAL PROPERTY TRIBUNAL
RENT ASSESSMENT COMMITTEE
(Housing Act 1988)**

Reference: RAC/0026/03/16
Property : 2 Tan Y Castell, Builth Wells, Powys, LD23DJ
Landlord: Mid Wales Housing
Tenant: Mrs Jill Perola
Committee: Jim Shepherd
Roger Baynham FRICS

**REASONS FOR THE DECISION OF THE RENT ASSESSMENT
COMMITTEE**

INTRODUCTION

1. We convened as a Rent Assessment Committee at the Caer Beris Manor Hotel in Builth Wells on Tuesday 21st June 2016. We had before us an application under section 13 of the Housing Act 1988 to consider a Notice of Increase of Rent served on the tenant Mrs Jill Perola by Mid Wales Housing dated 24th February 2016. The notice purported to increase the rent from £307.28 to £320.29 per month (equivalent to a £2.99 per week increase) with effect from 1st April 2016. In addition there is a service charge of £32.91 which is a variable charge and therefore of no concern to the Committee.
2. Mrs Perola's application was dated 22nd March 2016. The tenancy was granted to her on 5th October 2000. On 29th June 2005 there was an agreement for variation of the tenancy. We were advised by Mid Wales that this did not affect the period of the tenancy which remained a monthly tenancy commencing on the 1st day of the month.
3. Mrs Perola opted not to attend the oral hearing that had been scheduled to be heard after the inspection. She was advised of the implications of this but was clear in stating that she did not want to attend. We inspected the property prior to having the hearing. Charles Brotherton and Aiden Ackerman attended the inspection and hearing on behalf of the landlord.
4. 2 Tan -y - Castell is located on a development of 12 similar type flats adjacent to the main road and within easy walking distance of the centre of Builth Wells where all amenities are available. This development was constructed in 1992 and consists of one block of 8 flats and a further block of 4 flats and has the benefit of designated car parking spaces as well as visitor parking areas. In addition there is a drying area with rotary clothes lines and bin stores. The property comprises a flat on the first floor located in the larger block of 8 flats and shares a communal access with 3 other flats.
5. The entire development is brick built which has been cement rendered with the exception of a lower portion which has feature stone walling. The roof is tiled and the rain water goods are plastic. Although the

windows are double glazed they are set into wooden window frames some of which need attention.

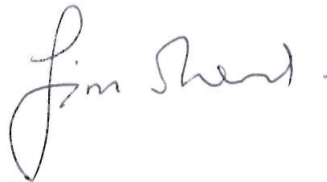
6. The accommodation at the property is accessed from the 1st floor landing and comprises a large hallway with a storage cupboard and a separate airing cupboard, living room with access to a reasonable sized balcony, kitchen with adequate, but dated range of floor and wall units, a double bedroom, a large single bedroom and a bathroom with a w/c. There are electric night storage heaters in every room. The Tenant has provided all the white goods in the kitchen as well as the carpets and curtains throughout the property.
7. In her application Mrs Perola complained of the following: the flats had the same bathrooms and kitchens even though they were built over 20 years previously; the rent increase was unfair and unjust for a single person with one wage coming in; the windows were in need of repair; the door frame is rotting; she had asked to have a shower installed but this had not happened; a repair to a Velux window had taken over two years; the communal door entry system was defective. At her property she also handed us a list of repairs.
8. At the hearing Mr Brotherton gave a clear account of how the new rent had been arrived at. He submitted evidence which included the associations' annual rent setting policy for 2016 which contained comparables with other housing associations. One table at paragraph 7.3.1 of the policy indicated that the rents for two bedroom flats were between £2 and £4 less than the average across Mid - Wales. In increasing the rents the association were essentially embarking on a catching up exercise. The rents were being increased in line with the Welsh Government Rent Policy which allowed a maximum increase of 1.5 % over the CPI in September plus up to £2 per week. Although the maximum increase was being applied this year in an effort to bring the rents in line with other associations Mr Brotherton said that the association's financial plan aimed to increase the rents by only CPI plus 1.5% next year i.e. without any additional increase. He had attended a meeting of finance directors of other housing associations and a representative of the Welsh Government who had informed the meeting that most associations in the region were applying the maximum rent increase available. The aim of the Welsh government is to bring Housing Association rents in line with each other.
9. In relation to the condition of the premises Mr Brotherton confirmed that under the associations' long term maintenance policy the kitchen and bathroom at the premises will be replaced to comply with the Welsh Housing Quality Standard next year. In addition the various items of disrepair identified by Mrs Perola would be attended to. The windows would be dealt with within 6 months. The communal door entry system would be fixed within a week. The other items of disrepair had been noted and would also be dealt with.

10. In determining a rent under the Housing Act 1988 we are obliged to consider what the property might be let at in the open market. We cannot take into account personal circumstances. We do take into account tenant improvements and assume that the property in the open market would be let with carpets, curtains and white goods in the kitchen.

11. Limited comparables were available. From our own inquiries the open market rent of a two bedroom flat was likely to be higher than the proposed rent in this case. However it is fair to say that the condition of the premises is "tired" and in need of an upgrade which we are informed will take place next year.

12. We consider that the proposed rent of £320.29 per month would be achievable in the open market. We therefore confirm the rent of £320.29 per month. This is to take effect on 1st April 2016 being the date specified in the Landlord's Notice.

Dated this 29th day of June 2016

A handwritten signature in blue ink, appearing to read "Jim Sherr".

CHAIRMAN