

Y TRIBIWNYLS EIDDO PRESWYL
RESIDENTIAL PROPERTY TRIBUNAL

Reference: RAC/0028/03/25

In the matter of Morfa House, Flat 2, 45 New Road, Porthcawl, CF36 5DL

In the matter of an application under the Renting Homes (Wales) Act 2016 & The Renting Homes (Rent Determination) (Converted Contracts) (Wales) Regulations 2022

Tribunal Judge:	Mr A R Phillips
Surveyor member:	Ms C Jones
Lay Member:	Ms C Thomas

Applicant:	Mr S Bolton and Mrs S Bolton
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Respondent:	View2Rent
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Date and Venue of Hearing: 31 July 2025 – Paper Determination with no attendance by the parties.

Decision

The Tribunal determines that the market rent payable for the Property is £725 per calendar month. The new rent is payable from 23 May 2025.

Reasons

Background

1. The Applicant, Mr Stewart Bolton and Mrs Sharon Bolton occupy the property known as Morfa House, Flat 2, 45 New Road, Porthcawl, CF36 5DL (“the Property”)
2. The Landlord is Mr Kurtis McIlwraith, and the Property is managed on their behalf by View2Rent.
3. The Applicant entered into occupation of the Property on 23 October 2020 at a rent of £525pcm.
4. In March 2023 the rent was increased to £550pcm.
5. The Renting Homes (Wales) Act 2016 was implemented on 1 December 2022. As a result of this the Applicant’s statutory periodic tenancy was automatically converted to a periodic standard contract.

The Application

6. On 22 February 2025 the Respondent served a Notice of Variation of Rent in Form RHW 12 pursuant to section 123 Renting Homes (Wales) Act 2016. This proposed a rent of £725 per calendar month from 23 May 2025 to replace the existing rent of £550 per calendar month
7. The Applicant has made an application for determination of the rent to the Tribunal in accordance with section 3 The Renting Homes (Rent Determination (Converted Contracts) (Wales) Regulations 2022.
8. On 4 April 2025, the Tribunal issued directions. Both parties have submitted written evidence in accordance with these directions.
9. The Tribunal Surveyor, Ms Jones, inspected the Property on the morning of 31 July 2025 with the hearing taking place in the afternoon.

The Inspection

10. The Property is located within Porthcawl, which is an established seaside town within the county of Bridgend. Porthcawl is located approximately 6 miles southwest of Bridgend and has an approximate population of 16,000 which rises significantly during the holiday season. Porthcawl is a popular residential and tourist town, which also houses a large holiday caravan/campsite and entertainment park. Local facilities are good with a variety of housing types/age and a range of national and local shops, businesses.
11. The Property is located on the eastern side of Porthcawl's town centre. The property of which the flat forms part, is located in a prominent corner position, fronting New Road and with side site boundaries to a road called Northways. The Property is divided into 4 flats, and looks to have originally been an end of terrace premises that has been subsequently extended and modified into a larger plot. The Property immediately adjoins terraced housing to the rear, so it is attached.
12. There appears to be shared vehicular access to the side/ front of the Property, shared with a number of adjoining and adjacent residential properties. There is a paved forecourt area, currently used for car parking, but not clearly marked into bays. The paved surface is cracked and uneven with slabs missing or displaced. There is a detached storage building (noted as not for the use of the Property) within the boundary walls which are solid stone construction. The Property is two storey with elevations that are of smooth painted render. The roof is of hipped construction under a composite type slate roof.
13. The Property is at first floor level and is accessed from the rear of the right-hand side elevation, via a dedicated front door. The entrance hallway at ground floor level, is quite wide and currently has wardrobes installed by the tenant to make the most of the space. There is also a storage cupboard and electric meter to the wall close to

the entrance door. The door and small window are white UPVC double glazed, as are the remainder of the windows of the flat. Stairs rise to first floor level, where accommodation is accessed of a single corridor and extends to bathroom, one double bedroom, kitchen and lounge.

14. The bathroom is fitted with a modern suite, with bath wash hand basin and wc. There is an electric shower over the bath. Walls are part tiled and part emulsion finish. There is an electric towel rail, but no other heating. The bedroom is double size, has a built-in cupboard and lower -level cupboard and electric storage heater to wall. There are 2 doors to this room, both leading from the main corridor of the flat. The corridor partition wall of this bedroom incorporates obscured glass 'windows' to the corridor of toughened wired glass type. The bedroom does though have 4 small windows in addition. There is also a small dining hatch to the wall between bedroom and kitchen, suggesting that the original design of the flat might have suggested that the bedroom was the lounge.
15. The kitchen is small and galley style, it is fitted with a range of modern floor and wall units with laminate worksurfaces, vinyl floor, space for electric cooker, which we are told is the landlords, it has extractor over. There is space for washing machine, tumble dryer and fridge freezer all of which are the tenants own.
16. The lounge is located to the front of the flat, has 2 windows to front and side, and has emulsion plaster walls and storage type heater.
17. The heating to the flat is provided by 4 electric heaters, the tenants indicated that one to the hall has been disconnected.
18. The flat was fully carpeted (landlord) and was in good decorative order. There were some minor signs of mould spotting the bathroom.

The Hearing

The Applicant's Submissions

19. In support of the Applicant's case Mr Bolton sent an email dated 14/05/2025 which the tribunal considered.
20. The email provided details of the £25pcm rent increase at the property in 2023 and confirmed that there had been no rent increase since then.
21. Concern was expressed as to the proposed increase in rent from £550pcm to £725pcm being an increase in excess of 30%.
22. Reference was made to the average increase in private rent in the Bridgend area using data from the Office of National Statistics.

23. According to the Applicant the average increase in private rent for 2023 to 2024 was 8% and for 2024 to 2025 was 6.5% being significantly less than the proposed increase in excess of 30%.
24. The documentation in support of this evidence was not provided to the tribunal.
25. Reference was made to Flat 3 at Morfa House, stating that this was also a one bedroom flat where, according to the Applicant, the occupier had been asked for a 20% increase in rent to a figure of £660pcm. The tenant was said to have found the increase unfair and has moved out.
26. Reference was made to Flat 4 at Morfa House which is a 2 bedroom flat that is benefited from recent improvements.
27. According to the Applicant, Flat 4 stated that they were not paying as much as had been requested of the Applicant. No details of the actual rent or the history of the tenancy were provided.
28. The Applicant gave details of their expenditure on additional heating and a dehumidifier to keep the Property warm and to help reduce the recurrence of any black mould.

The Respondent's Submissions

29. In support of the Respondent's case the Landlord sent an email dated 07/05/2025 which the tribunal considered.
30. The email provided details of the commencement of the tenancy of the Property in October 2020 paying £525pcm, stating that the flat benefitted from having been fully re decorated throughout, with new carpets throughout and a brand new cooker installed.
31. An increase in the rent of £50pcm had been requested in March 2023 but it had been agreed to limit the increase in rent to £25pcm.
32. Flat 1 at Morfa House was also a one bedroom flat and is described as "the same accommodation". In 2020 the rent was £550pcm.
33. The rent for Flat 1 in 2023 was £600pcm whereas the Applicant was paying £550pcm.
34. According to the Respondent, Flat 1 was now paying £725pcm which the Applicant argues represents the market rent achievable at the current time for the same accommodation in Porthcawl.
35. In support of this the Respondent has provided a rent demand for Flat 1 for the period 14/04/2025 – 13/05/2025 showing a rent payable of £725pcm.

Deliberations

36. Following the implementation of the Renting Homes (Wales) Act 2016 the Applicant's occupation of the Property was automatically converted to a periodic standard contract on 1 December 2022. Accordingly, jurisdiction to determine this matter arises by virtue of regulation 3 The Renting Homes (Rent Determination (Converted Contracts) (Wales) Regulations 2022.
37. The Tribunal has considered the notice dated 22 February 2025. The validity of this notice is not in dispute. The Tribunal is satisfied that the notice complies with the requirements of section 123(1) (2) (3) Renting Homes (Wales) Act 2016.
38. Therefore, the Tribunal is to determine the rent which the Property might reasonably be expected to let in the open market by a willing landlord under the same type of relevant converted contract having regard to regulation 6 The Renting Homes (Rent Determination (Converted Contracts) (Wales) Regulations 2022, referred to in this decision as "the Open Market Rent".
39. The Property is generally well presented and located. It benefits from relatively modern UPVC doubled glazed windows and reasonable standard of fixtures and fittings. The electric storage heaters are not as popular as gas fired central heating, they are known to be costly to run.
40. There has not been any significant rental evidence adduced by either party in terms of comparable evidence in the Porthcawl area.
41. The Respondent has provided the rent demand for Flat 1 within the same block for the period 14/04/2025 – 13/05/2025 which is noted at £725pcm. No tenancy agreement has been provided.
42. We do not have any information on the specification, but it would be reasonable to assume that it is similar to Flat 2 and there is reference to the rents on these 2 flats being of the same level previously.
43. We are aware of some recent transactions within Porthcawl obtained from online searches. These include:

A flat situated opposite the subject property on New Road, forming part of a 3 storey terraced conversion. The flat has one bedroom, lounge, kitchen and bathroom with central heating (radiator) parking, marked as let at £675pcm. It does not present as appealingly externally when compared to the subject flat.

A one bedroom first floor flat let at Mary Street, an older style conversion with sash style windows, newly refurbished marked as let at £700pcm.

There is a 1 bedroom flat available to let at Suffolk Place with central heating, no parking and looks to be of basic specification, asking rent £775pcm.

There is a 2 bedroom 2 bathroom flat let at Mary Street, top specification premises, open plan living /kitchen /courtyard patio no parking achieved £950

There is a 2 bedroom ground floor flat at Mary Street, 2 large double beds marked as let at £995pcm.

44. The market research would suggest that a one bedrooomed flat in this location could achieve in the region of £675pcm- £775pcm depending on amenity and condition. The Property is well presented but the electric heating would be a factor that could limit a tenants bid. However, the rental market remains strong and there is a shortage of supply within Porthcawl. We are of the view that the rent would be fairly represented at £725 pcm.

Valuation Considerations

45. Taking into account the Property's accommodation, condition, and amenity and also using our own experience alongside the evidence presented, we consider that a rent of £725 pcm is appropriate.
46. Whilst the tribunal appreciates that an increase of £175 pcm is a significant increase for the Applicant, the tribunal is required to make a determination as per paragraph 38 of this decision of the Open Market Rent.
47. Even if we had before us the documentation in support of the average increase in private rent from the Office of National Statistics that the Applicant has referred to in their submissions, it does not assist the tribunal in making the required determination of the Open Market Rent for this specific Property.
48. The percentage rent increase is undoubtedly high for this Property, that is because it would appear that the Applicant has had the benefit of what would appear to be a below market rent for some time.

Dated this 12th day of August 2025

AR Phillips
Tribunal Judge