

**Rent Assessment Panel for Wales**

<b>Notice of the Rent Assessment Committee Decision</b>	File Reference Number: RAC/ 0029/03/26
Address of Premises  <b>FLAT 7, 13 POTTERY TERRACE, NEWPORT, NP20 2NA</b>	The Committee members were  Tonya Richards-Clarke, Tribunal Judge Hefin Lewis FRICS; Valuer Carole Thomas, Tribunal Member
(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.	£ 449 per month  (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.	5 <sup>th</sup> June 2026
(3) The rent is not to be registered as variable.	
(4) The amount for services is:	N/A
(5) The amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance is:	N/A
(6) The rent is not exempt from the maximum fair rent because of repairs or improvements carried out by landlord.	
(7) Details (other than rent) where different from Rent Register entry: N/A	
Date of decision: <u>5<sup>th</sup> June 2026</u>	Chair: Tonya Richards-Clarke, Tribunal Judge
<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: £570	

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RESIDENTIAL PROPERTY TRIBUNAL  
RENT ASSESSMENT COMMITTEE**

**Reference:** RAC/0026/03/26

**Property:** Flat 7, 11-13 Pottery Terrace Newport NP20 2MA

**Landlord:** Mr Paul Collis-Smith and Mrs Nicola Collis-Smith  
Sure-Thing Property Investments Limited

**Tenant:** Mr Stephen Henry Taylor

**Committee:** Ms TE Richards-Clarke (Chair)  
Mr Hefin Lewis (Surveyor Member)  
Mrs Carol Thomas (Lay Member)

**Decision of the Rent Assessment Committee**

**The Tribunal determines that the fair rent payable for the property is £449.00 per calendar month. The new rent is payable from 5 June 2026.**

**Reasons for the decision**

**Background**

1. This matter concerns a reference from the Rent Officers Wales in respect of Flat 7, 11-13 Pottery Terrace Newport NP20 2MA (“the Property”).
2. Mr Stephen Henry Taylor (the “tenant”) has rented the property since 20 May 1985. Mr Paul Collis-Smith and Mrs Nicola Collis-Smith of Sure-Thing Property Investments Limited are the landlords of the property (the “landlord”).
3. The previous rent, registered on 31 October 2023, was £391.07 per calendar month [11]. On 27 October 2025 the landlord made an application for registration of fair rent, proposing a new rent of £640.00 per calendar month [15].
4. Rent Officer Wales inspected the property on 19 January 2026 [53] and assessed and registered the rent as £442.50 per calendar month effective from 24 February 2026 [63]. To arrive at this fair rent the Rent Officer first assessed the relevant market rent at £750.00 per calendar month. From this figure of £750.00 deductions of £65.00 were made for age, character and location and £17.33 as the property is unfurnished. This led to an adjusted market rent of £667.67 per calendar month. A further 10% adjustment was then made for scarcity, and the uncapped fair rent assessed at £601.00 per calendar month [61].

5. The Rent Officer then considered the capping provisions of the Rent Acts (Maximum Fair Rent) Order 1999 (the “Maximum Fair Rent Order”). The Rent Officer decided that although there was an increase in the rent due to improvements and repairs since the last registration, this did not exceed 15% or more of the existing registered rent. The Rent Officer therefore decided that in this case there was not an exemption to the application of the Maximum Fair Rent Order. Applying the capping provisions of the Maximum Fair Rent Order the Rent Officer determined the registered fair rent as £442.50 per calendar month.
6. The landlord appealed the Rent Officer’s determination. The landlord is seeking a rent of £550 per calendar month. The landlord relies on the substantial repairs and improvements they have carried out at the property. This includes installation of a new kitchen, bathroom, carpets and ventilation systems together with renewal of silicon to window reveals. Further renovations have been carried out to the common parts in the building including to the corridor, main front door, and external walls and a new roof. The landlord also relies on the observation of these improvements by the Rent Officer at the inspection on 19 January 2026, the Rent Officer’s assessment of the uncapped rent at £601.00 per calendar month and the actual rents in the comparable renovated flats in the building.
7. Accordingly, the matter was referred to this Committee by the Rent Officer on 6 March 2026 [11].
8. The inspection of the property took place on the morning of 5 June 2026, and the determination was then made on the papers. The background to this appeal is set out in the documentation in the hearing bundle of 73 digital pages [1-73].

### **The Inspection**

9. An inspection of the property was carried out by all Committee members on the morning of 5 June 2026. The tenant was present.
10. The property is a first floor one-bedroom flat in a block of converted flats. The property is located at the end of Pottery Terrace around 10 minutes’ drive from Newport Train Station. In the bathroom the landlord has replaced the bathroom suite and installed new flooring and tiles. In the kitchen new units and a new gas cooker have been installed together with new flooring and tiles. New carpets have been fitted in the bedroom, living room and hallway. Ventilation systems have been installed in the living room and a humidistat fan in the bathroom and kitchen.

### **The Law**

11. When determining a fair rent, the Committee, in accordance with section 70 of the Rent Act 1977 (“the Act”):
  - a. has regard to all the circumstances (other than personal circumstances) including the age, location, and state of repair of the property;

- b. disregards the effect on the rental value of the Property of (a) any relevant tenant improvements; and (b) any disrepair or other defect attributable to the tenant or any predecessor in title under the regulated tenancy;
- c. assumes (as required by Section 70(2) of the Act) that, whatever might be the case, the demand for similar rented properties in the locality does not significantly exceed the supply of such properties for rent. In other words, the Committee must make certain assumptions regarding scarcity and demand for rental properties in the area.
12. In Spath Holme Ltd -v- Chairman of the Greater Manchester etc. Committee (1995) 28 HLR 107 and Curtis -v- London Rent Assessment Committee [1999] QB 92, the Court of Appeal emphasised that Section 70 of the Act means that ordinarily a fair rent is the market rent for the subject property discounted for “scarcity”; and that for the purposes of determining the market rent, assured tenancy (market) rents are usually appropriate comparables (although these rents may need to be adjusted to reflect any relevant differences between these comparables and the subject property (e.g. furnished and unfurnished)).
13. Accordingly, once the market rent for the Property has been determined pursuant to Section 70 of the Act, that rent must then be adjusted, where necessary, for any differences between the relevant comparables and scarcity.
14. The Committee is also required to have regard to the Rent Acts (Maximum Fair Rent) Order 1999 (the “Maximum Fair Rent Order”), which places a cap on the permissible amount of increase of fair rent between one registration and a subsequent registration. The cap is based upon the amount of increase in the Retail Prices Index between the dates of the respective registrations.
15. Article 7 of the Rent Acts (Maximum Fair Rent) Order 1999 (the “Maximum Fair Rent Order”) provides that this article does not apply in respect of a dwelling-house if because of a change in the condition of the dwelling-house or the common parts as a result of repairs or improvements (including the replacement of any fixture or fitting) carried out by the landlord or a superior landlord, the rent that is determined in response to an application for registration of a new rent under Part IV exceeds by at least 15% the previous rent registered or confirmed.
16. By virtue of Section 72 of the Act, the registration of the rent takes effect from the date upon which the Committee reached its decision. In this case, that date is 5 June 2026. The Committee is unable to backdate a new registered rent by virtue of this provision.

### **Committee’s Assessment of the Rent**

17. The starting point in assessing rent under Section 70 of the Act is to establish the market rent for the Property. To that market rent, a number of adjustments are made to reflect the requirements of Section 70 of the Act.
18. The Landlord provided evidence as to rent of other similar properties in the locality. The Committee, having made its own enquiries, utilised its own

experience and expertise and, having regard to the average of the 11 comparable properties provided by the Rent Officer and to the requirements of Section 70 of the Act, finds that the market rent for the Property before the relevant deductions (as outlined below) is £726.82 per calendar month.

19. From this the Committee has deducted 10% (£72.68) to reflect the age, character and location and 3 % (£21.80) for the provision by the tenant of the furniture in the property.
20. As regards scarcity, the appropriate deduction in this instance is 10%.
21. This produces a rent of £570.00 per calendar month.

### Calculations

22. Applying the Committee's findings and conclusions, the Committee has determined the rent as follows:

Monthly Market Rent		£726.82
<u>Less adjustments</u>		
Furniture	£21.80	
Age, character, location	£72.68	
		<u>£ 94.48</u>
Adjusted Market Rent		£632.34
Deduction for scarcity at 10%		<u>£ 63.23</u>
Monthly Rent		£569.11
<b><u>Monthly Fair Rent (rounded)</u></b>		<b><u>£570.00</u></b>

### Maximum Fair Rent Order

23. The Committee had regard to the repairs and improvements carried out by the landlord. These include replacement of fittings in the bathroom and kitchen, installation of new flooring and carpets, a new ventilation system, window refurbishment and works to the common parts. The Committee decided these repairs and improvements did not increase the rental value of the property by at least 15% of the previous rent registered on 31 October 2023 of £391.07 per calendar month.
24. This means that the rent is subject to the capping provisions of the Maximum Fair Rent Order. The maximum fair rent is capped at £449.00. Accordingly, as the Order does apply, we record that the fair rent for the Property is £449.00 per calendar month.
25. For the purposes of Section 72 of the Act (as amended) the decision was made on 5 June 2026.

Signed: *T&E Richards-Clarke (Chair)*

Dated this 10<sup>th</sup> day of June 2026