

Residential Property Tribunal for Wales
Y Tribiwnlys Eiddo Preswyl
Rent Assessment Committee

Reference RAC/006/05/26

In the matter of 69 Sontley Road Wrexham LL13 7EN

And in the matter of an application under the Rent Act 1977

Applicant: Claire Dodd (Tenant)

Respondent: Clwyd Alyn Housing Ltd (Landlord)

Committee: Gwyn Eirug Davies -Tribunal Judge
Tom Daulby MRICS - Surveyor member
Bill Brereton – Lay member

Decision:

A fair rent of £302.22 was determined by the Committee with effect from 6th October 2026

1. On the 11th February 2026 the Landlord submitted an application for the registration of a fair rent in respect of the 69 Sontley Road Wrexham (the Property) to Rent Officers Wales. The application sought an increase in the rent to £265.98 per month from £264.20.
2. The Tenant has occupied the Property since the 8th February 1988 under a shared ownership arrangement. Although we have not been provided with a copy of the tenancy agreement it is common ground that the Tenant has a 25% equity share in the Property. The Tenant is responsible for all of the maintenance costs
3. Following an assessment by Rent Officers Wales a fair rent of £309.11 was registered on the 23rd April 2026.
4. The Tenant objected to this assessment by e-mail on 21st May 2026 and on the 28th May 2026, the matter was referred by the Rent Officer to the Rent Assessment Committee for determination.

5. The Committee has considered the following documentation namely; i) Notification of Fair Rent Appeal dated 28th May 2026 from Rent Officers Wales, ii) Application for Registration of Fair Rent from Landlord dated 11th February 2026, iii) Notification of Application for Registration of Fair Rent to Tenant dated 2nd March 2026, iv) Rent Officer's Consultation Notes and calculations, v) Rent Register, vi) Notification of Registration dated 23rd April 2026, vii) e-mail dated 21st May 2026 from Tenant objecting to the registered rent, viii) response dated 22nd May 2026 from Sion Morgan Regional Manager Rent Officers Wales, ix) Notification of Appeal Application dated 28th May 2026 to Landlord and Tenant, x) Notification of Fair Rent Appeal to Tribunal dated 28th May 2026.
6. The Tribunal Secretariat has duly served notification of this appeal on both parties but neither has communicated with the Tribunal nor engaged in this appeal process.
7. The Committee undertook an external inspection of the Property on Tuesday 6th October 2026.
8. As neither party had requested an oral hearing, the application was dealt with on the papers and without a hearing by the Committee immediately following the inspection.
9. The Property is a two bedroomed end terrace house conveniently located for local amenities and also with easy access to Wrexham town centre. The Property is in need of some external maintenance and decoration to the fascia boards. The Tenant states that the roof requires replacing although it appeared from ground level to be in a satisfactory condition. However, that is not a factor that we take into account given that the Tenant is solely responsible for its upkeep.
10. As the parties have not engaged in the proceedings then we have no evidence beyond what is contained in the documentation listed above.
11. One issue of note is that the Tenant indicates that she has undertaken improvements. These include installing double glazing, updating the bathroom at a cost of £3,700, and installing a new boiler. In response the Rent Officer points out that the Tenant did not take up the offer of a consultation to enable her to inform him of the improvements that she had made. This invitation is contained in the notification letter dated 2nd March 2026.
12. The Rent Officer acknowledges that as he was unaware of the improvements carried out, then they were not taken into consideration when he made his valuation.

13. 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.

14. 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)).

15. 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.

16. 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. The Maximum Fair Rent Order does not apply if there have been improvements to the property since last registration and the improvements would mean the rent would be increased by more than 15% as a consequence.

17. By virtue of Section 72 of the Act, the registration of the rent takes effect from the date upon which the Committee reaches its decision. In this case, that date is the 6th October 2026. The Committee is unable to backdate a new registered rent by virtue of this provision.

18. The Rent Officer lists comparable figures for four two bedroomed terraced properties with a monthly rent ranging from £550 to £850. In his 'valuation notes' the rent officer indicates that he did not consider it necessary to look for further comparables as two of the comparables identified are for identical houses in the same street.
19. The Committee has also identified comparable properties in the postcode LI13 7RY and LL13 7ND area. Using its own knowledge, expertise and experience the Committee agrees with the assessment of the Rent Officer and has determined that the market rent for a property of this type in a similar locality would be £700 per month.
20. The Rent Officer has deducted £8.66 to reflect age character and location. We consider that this figure should be increased to £10.00 to reflect that the property is an end terrace house located next to a public house with a large car park.
21. We accept the sum of £52.00 proposed by the Rent Officer to reflect the unfurnished nature of the tenancy, although this allowance is somewhat on the generous side.
22. Additionally, we believe that there should be a deduction to reflect the Tenant's improvements. The installation of the double glazing is likely already to have been reflected in the current rent set in 2019. It is appropriate however to make a deduction of £10.00 to reflect the installation of the boiler and the upgrading of the bathroom.
23. A deduction of 20% to reflect scarcity is also appropriate.
24. The sum of £2.86 to reflect insurance and administration charges is reasonable.
25. Accordingly, our calculations of the market rent are as follows:

Relevant market rent		£700.00
Deductions;		
Age character location	£10.00	
Furniture	£52.00	
Tenant's improvements	£10.00	
Services	£2.86	£74.86
Adjusted market rent		£625.14
Deduct scarcity @ 20%	£125.02	

Fair rent (excluding services)	£500.12
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26. Further adjustments are required to reflect the shared ownership arrangement. We concur that there should be a 20% deduction to reflect the full repair liability that rests upon the Tenant. Our calculation is therefore as follows:

Fair rent	£500.12
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Deduct for full repair liability (20%)	£100.02
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Add for service/management insurance	£2.86
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Gross rent	£402.96
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Less 25% equity share	£100.74
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Fair rent (shared ownership)	£302.22
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27. We are also obliged to consider the maximum fair rent in accordance with the Rent Act (Maximum Fair Rents) Order 1999. We calculate the maximum fair rent to be £384.00 which is similar to the figure identified by the Fair Rent Officer. However, in light of our determination of the fair rent payable, then the maximum fair rent provisions do not apply.

28. Our decision therefore is that the fair rent for the Property shall be **£302.22** per month payable from the 6th October 2026.

29. The fair rent determined is the maximum amount which the Landlord can charge by way of monthly rent. It is open for the parties to agree a lower rent if they so agree. We say this in light of the fact that the fair rent determined exceeds the amount sought by the Landlord in its original application. It may well be that the lack of engagement by both parties reflects the fact that they have come to an arrangement in any event.

Dated the 7th October 2026

G E Davies

Tribunal Judge

