

Rent Assessment Panel for Wales**Notice of the Rent Assessment
Committee Decision**File Reference Number:
qA1029983/1Address of Premises
18 Church Street
Pembroke Dock
Pembrokeshire
SA72 6ARThe Committee members were
Mr Richard Payne
Mr Paul Lucas(1) The Committee has decided that the rent for the
above premises is:

£312 per month

The new rent will be entered by the rent officer in the
rent register.(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.28th September 2012

(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 the
landlord.

(7) Details (other than rent) where different from Rent Register entry:

Date of decision: 10th October 2012Chairman  R Payne**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: £

Y TRIBIWNLYS EIDDO PRESWYL
RESIDENTIAL PROPERTY TRIBUNAL (WALES)
LEASEHOLD VALUATION TRIBUNAL

Reference: qA1029983/1

In the Matter of 18 Church Street, Pembroke Dock, Pembrokeshire SA72 6AR

In the matter of an Application under Rent Act 1977

TRIBUNAL Mr R Payne
 Mr P Lucas

APPLICANT Family Housing Ltd

RESPONDENTS Mrs M Williams

ORDER

DECISION OF THE RENT ASSESSMENT COMMITTEE

1. We were duly convened as a Rent Assessment Committee under the Provisions of the Rent Act 1977 and met at the subject property on the 28th September 2012. We had before us a reference from the Rent Officer in respect of 18 Church Street, Pembroke Dock ("the Property"). The landlord of the Property is Family Housing Limited. The tenant is Mrs M.P. Williams.
2. The landlord applied on the 24th of May 2012 to register a fair rent of £79.85 per week. The Rent Officer had determined a fair rent of £284.50 per calendar month to be effective from the 6th of July 2012 and the landlord had objected to this determination by a letter dated 1st August and received by the Rent Officer Service on the 6th August 2012.
3. Before inspecting the Property we had considered various documents including the application for the registration of fair rent, the Rent Officer's determination, a letter from Family Housing Ltd dated 22nd August 2012 addressed to the Residential Property Tribunal and an earlier letter from Family Housing Limited to the Rent Officer Service dated 29th May 2012. We also had the written representations of Mrs Williams dated 20th August 2012. The parties indicated that they did not wish the matter to be dealt with at a hearing and were content to rely on their written materials.

THE INSPECTION

4. We inspected the Property in the presence of tenant Mrs Williams. The property is a three bedroomed mid-terraced house from pre-1919 with a slate tiled pitched roof close to the centre of Pembroke Dock. The external front wall was painted yellow on the rendered finish. The property has a decent sized rear garden largely set to lawn.
5. The front door opens into the hall from which the lounge can be accessed on the left. There was a gas fire but no radiator in this room and the window was PVC. Some dampness was noted on the wall to the right of the window near the television. The second ground floor room had single glazed French windows in poor condition and no radiator. The Committee were concerned to note that the electric light switch for this room (which was situated in the hallway) was taped over and inoperative meaning that the room would not be usable after dark. We noted, from our own observations that the wiring throughout the property was of considerable antiquity.
6. The kitchen was of a reasonable size although basic. There was a boiler in the kitchen which appeared to be in good condition and functioning properly. There was a single glazed window and a radiator. The white goods belonged to the tenant. A single glazed door led into the back garden, which as indicated was set to lawn. There was considerable debris remaining in the garden where the previously existing lean to had been dismantled and covered in a tarpaulin. We noted that correspondence amongst our papers from the landlord indicated that the debris had been removed but this clearly was not the case.
7. A wooden staircase led upstairs. There were one or two of the balustrades missing from the staircase. There was small ante room before the bathroom with a single window and cupboard and a single glazed sash window. The bathroom itself contained a basic bathroom suite with a toilet, handbasin and bath with an over the bath shower. There was no radiator or heating in the bathroom save for a heated towel rail. There was a small single glazed window. There was evidence of condensation dampness on the walls.

8. The front room upon the left when looking from the bathroom was not currently in use and was being used for the storage of belongings. This room had a wooden sash window and no radiator. The back bedroom had a double bed and a wooden sash window with a rotten sill externally and no radiator.
9. The main third bedroom at the front had a sash window and a radiator. There was a boarded-up fireplace within the room which was carpeted but not well decorated.
10. There was a fairly large cellar with a window at street level in which the utility meters were situated and although this was in reasonable condition it was again being used for storage purposes.

NOTES ON VALUATION

11. The fair rent valuation sheet submitted by the Rent Officer shows a fair rent of £369 per month and a Maximum Fair Rent of £284.50 per month. The Rent Officer had found that the relevant market rent starting point was £475 per calendar month. In arriving at his market rent, rent comparables ranging from £92.31-£144.23 per week were considered by the Rent Officer. The Rent Officer had registered the rent of £284.50 per month from 6 July 2012; the previous rent was £236 per calendar month registered and effective from 8 January 2008.

DECISION

12. In reaching our decision we considered the fair rent in accordance with Section 70 of the Rent Act 1977 and the principles set out in applicable case law, and calculate the maximum fair rent in accordance with the relevant regulations. The rent registered is the lower of the two.
13. We gave careful consideration to all of the evidence available, and taking into account our knowledge and experience we find that the market rent for a property of this type would be £115.38 per week or £500 per calendar month on the basis that the landlord provides carpeting and curtains and with central heating and double glazing. There are no carpets and curtains provided by the landlord and there is only partial central heating in this property. In these circumstances, it is therefore appropriate to make an adjustment for the lack of carpets and curtains. We also note that the property is not double glazed and most of

the windows are single glazed sash windows. The kitchen and bathroom are both very basic. The overall condition of the property was not as good as the representations from the landlord would have us believe prior to inspection. As mentioned above, the Committee were concerned at the apparent state of the wiring which appears to raise significant health and safety issues and we recommend that the wiring and electricity supply and appliances are all thoroughly tested to ensure that the parties can be satisfied that there are no fire or health risks.

14. We assessed the question of scarcity which the Rent Officer had assessed at £41 per month which equates to 10% of his adjusted market rent of £410. From our knowledge and experience of the rental market in the area, we determine that there is an element of scarcity for this type of property. We find that a figure of 10% is reasonable and appropriate for scarcity.

15. We therefore calculate the fair rent as follows;

Market Rent	£115 per week
Less adjustments:	
lack of central heating	£4
Carpets and curtains	£8
Condition	£5
Basic kitchen/bathroom	£10.00
Double glazing	£8.00
	<u>£35.00</u>
Adjusted Market Rent	<u>£80 per week</u>
Less scarcity @ 10%	£8
Fair Rent	<u>£72.00</u>

Say,

£72.00 per week or £312/pcm

16. We then considered the provisions of the Maximum Fair Rent Order. The Order does not apply if the fair rent of the property has increased by 15% or more of the previously registered rent due to repairs/improvements carried out by the landlord since the last registration. Whilst there have been some works on the property since the last registration and recently these did not increase the value of the rent by more than 15%. The increase in the fair rent due to improvements is accordingly less than 15% of the previously registered rent and accordingly the Maximum Fair Rent Order applies. Our calculations were based on an existing rent of £236 per month, an RPI at last registration of 209.8 and the current RPI of 242.1 with an enhancement factor of 0.05.
17. The Maximum Fair Rent therefore was £390.50 per month exclusive of Council Tax and Water Rates.
18. We therefore determine the rent to be registered, exclusive of rates and taxes, at £312 per month, it being the lower of the two assessments. We record that the date of our decision was the 28th September 2012.

DATED this 16th day of October 2012



Richard Payne
CHAIRMAN

