


Rent Assessment Panel for Wales

**Notice of the Rent Assessment
Committee Decision**

 File Reference Number:
RAC/0009/07/13 Parc y Felin

Address of Premises 25 Parc y Felin Llanbedr Ceredigion SA48 7HU	The Committee members were Mr S Povey (Chairman) Mr P Lucas
(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.	69.50 per week (This amount excludes council tax and water rate but includes any amounts entered in boxes 3-5 below.)
(2) The effective date is: The new rent will apply from this date.	16 th October 2013
(3) The rent is 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: N/A	
Date of decision: <u>16th October 2013</u>	Chairman 
<p>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.</p>	
(8) The uncapped fair rent was: £73.00	

Y TRIBIWNLYS EIDDO PRESWYL
RESIDENTIAL PROPERTY TRIBUNAL
RENT ASSESSMENT COMMITTEE
(Rent Act 1977)

Reference: RAC/009/07/13

Property: 25 Parc y Felin, Llanbedr, Ceredigion SA48 7HU

Landlord: Cymdeithas Tai Cartref

Tenant: Mrs G Jones

COMMITTEE: Mr S Povey (Chairman)
Mr P Lucas (Surveyor)

REASONS FOR THE DECISION OF THE RENT ASSESSMENT COMMITTEE

In the matter of the determination by a Rent Assessment Committee of a fair rent under section 70 of and Schedule 10 to the Rent Act 1977.

Decision

The registered rent for 25 Parc Y Felin, Llanbedr, Ceredigion SA48 7HU is determined at £69.50 per week.

The registration of the rent takes effect from 16th October 2013.

Reasons for the decision of the Rent Assessment Committee dated 16th October 2013

Background

- 1. The Applicant, Cymdeithas Tai Cantref ('Cantref') is the landlord of 25 Parc y Felin, Llanbedr SA48 7HU ('the property'). The Rent Act protected tenant and Respondent is Mrs Gwyneth Jones. The tenancy of this property began in 1994.**
- 2. On 16th May 2013, Cantref applied under s.67 of the Rent Act 1977 for registration of a fair rent. The rent had been £62 per week since the last registration in May 2011. Cantref sought a new rent of £77.96 per week.**
- 3. Pursuant to the application, the rent officer registered a rent of £64 per week effective from 20th June 2013.**

4. By a letter dated 9th July 2013, Cantref objected to the rent officer's determination. By reason of Paragraph 6, Schedule 10 to the Rent Act 1977, the rent officer referred the matter to the Rent Assessment Committee of the Residential Property Tribunal ('the Tribunal').
5. The Tribunal received written submissions from the Applicant, who also indicated that it was content for the matter to be determined without a hearing. The Respondent also confirmed that she was similarly content for the matter to be determined without a hearing.

The Inspection

6. The Tribunal inspected the property on 16th October 2013 in Mrs Jones' presence. There was no attendance by Cantref.
7. The property is a two storey end terrace of three properties. It is rough cast rendered, timber framed under a fibre slate roof. It is fitted with PVC double sealed windows throughout and has canopy porches to front and rear. Externally, there is ample parking at the front of the property, a small garden to the rear with pedestrian access to the side, along with a boiler house/utility block and shed. There are also shops and amenities in Lampeter, which is about half a mile from the property.
8. The accommodation on the ground floor consists of entrance hall, sitting room and kitchen/dining room. Upstairs are two bedrooms, one with built-in storage, the bathroom and an airing cupboard. Heating is by means of gas central heating. Save for the stairs and upstairs landing, the property is carpeted or laminated throughout, has double glazing and maintained in a good condition.
9. We were informed by Mrs Jones that Cantref re-fitted the kitchen about five years ago and also installed the double glazing and heating system. Mrs Jones provided the flooring and curtains/blinds.
10. Following the inspection, the RAC convened to consider its decision. Neither party chose to attend the said hearing.

The Law

11. Section 70 of the Rent Act 1977 sets out the factors to be considered when determining a fair rent. In particular, and of relevance to this application, we are required to have regard to the age, character, locality and state of repair of the property.

12. At the same time, s.70 requires us to disregard:
 - 12.1. The personal circumstances of the parties ;
 - 12.2. Any disrepair or other defect attributable to a failure by Mrs Jones under the terms of the tenancy;
 - 12.3. Any improvements carried out by Mrs Jones, other than as required under the tenancy
13. We must also assume that the number of people seeking to become tenants of similar properties in the area on terms identical to Mrs Jones' tenancy (save as to rent) is not substantially greater than the number of such properties which are available to rent on such terms. In other words, we must make certain assumptions regarding scarcity and demand.
14. In addition, further regulation of Rent Act rents is provided by the Rent Acts (Maximum Fair Rent) Order 1999 ('the Maximum Fair Rent Order'), which places a cap on the permissible amount of the increase of a fair rent between one registration and the next. The cap is based upon the amount of increase in the Retail Prices Index between the dates of the two registrations.
15. By virtue of section 72 of the Rent Act 1977, the registration of the rent takes effect from the date when we as a RAC reached our decision.

Findings of Fact & Conclusions

16. The starting point in assessing a rent under s.70 Rent Act 1977 is to establish the market rent for the property. To that rent, a number of adjustments are made, to reflect the requirements of s.70.
17. The rent officer had had regard to a range of rents for two bedroom properties in the SA48 postal area but we were not provided with the addresses of these properties. The rents ranged from £90 to £121.15 per week, although only two of the properties were terraced. All of the properties referenced appeared to have more rooms than this property. Based upon that evidence, the rent officer set the market rent for the property at £86 per week.
18. Using our own skill and expertise, and having regard to the size and location of the property, we believe that a market rent of £92 per week is realistic.
19. We would expect carpets and curtains to usually be provided by the landlord in a rented property and therefore deduct £6 from the market rent, to reflect this.
20. The overall condition of the property is good, with central heating and double glazing provided by Cantref.

21. We are satisfied that there is a degree of scarcity for this type of property, given its proximity to Lampeter, which is a university town. As such, we make an adjustment of 15% to reflect this.

Calculations

22. Applying our findings and conclusions, we have determined the rent as follows:

	£	£
Market Rent		92.00
Less Adjustments (if appropriate)		
Lack of Central Heating	0.00	
Carpets/Curtains	6.00	
Basic Kitchen/Bathroom	0.00	
Condition	0.00	
Double Glazing	0.00	
Other (specify)	0.00	<u>6.00</u>
Adjusted Market Rent		86.00
Deduct for Scarcity	15%	<u>12.90</u>
Fair Rent (excl services)		73.10
Add services (if any)		0.00
Fair Rent (to nearest £)		73.00

23. Under the Maximum Fair Rent Order, the capped fair rent is £69.50 per week. As the rent we have determined exceeds the maximum fair rent, the Order applies.

Conclusion

24. The fair rent for the property is therefore capped 69.50 per week.

25. The registration of the rent takes effect from 16th October 2013, the date we reached our decision.



Stephen Povey

Chairman

Dated: 22nd October 2013