


Rent Assessment Panel for Wales

Notice of the Rent Assessment Committee Decision		File Reference Number: RAC/0020/04/14 Glantawe Street
Address of Premises: 34b Glantawe Street Morrison Swansea SA6 6DQ	The Committee members were: S. Povey 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.	£73.00 per week (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.	2 nd July 2014	
(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: N/A		
Date of decision: <u>2nd July 2014</u>	Chairman: 	
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: £77.50		

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RESIDENTIAL PROPERTY TRIBUNAL
RENT ASSESSMENT COMMITTEE
(Rent Act 1977)

Reference: RAC/0020/04/14 Glantawe Street

Property: 34b Glantawe Street, Morriston, Swansea, SA6 8DB

Landlord: Family Housing Association (Wales) Limited

Tenant: Mrs M Taylor

COMMITTEE: S. Povey
P. Lucas

REASONS FOR THE DECISION OF THE RENT ASSESSMENT COMMITTEE

The registered rent for 34b Glantawe Street, Morriston, Swansea, SA6 8BD is determined at £73 per week.

The registration of the rent takes effect from 2nd July 2014.

Background

1. The Applicant, Family Housing Association (Wales) Limited ('FHA') is the landlord of 34b Glantawe Street, Morriston, Swansea SA6 8DQ ('the property'). The tenant and Respondent is Mrs Taylor. The tenancy of this property began on 30th January 1984 and is therefore a secure tenancy pursuant to the Housing Act 1985 (the landlord being a housing association and the tenancy having been entered into before the advent of the assured regime in February 1989). By virtue of sections 86 and 87 of the Rent Act 1977, the fair rent regime applies to this tenancy.
2. On 30th January 2014, FHA applied under s.67 of the Rent Act 1977 for registration of a fair rent. The rent had been £65 per week since the last registration in March 2012. FHA sought a new rent of £83.34 per week.
3. Pursuant to that application, the rent officer registered a rent of £68 per week effective from 10th March 2014.
4. By a letter dated 25th March 2014, FHA 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 Applicant 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 2nd July 2014 in Mrs Taylor's presence. There was no attendance by FHA.
7. This particular property comprises a first floor flat in a former end of terraced dwelling house which has subsequently been converted into 2 self-contained apartments. The apartment has frontage to and access from Slate Street which adjoins Glantawe Street. A limited number of shops at Morrision centre are within reasonable walking distance whilst Swansea City centre is 4 miles away. The property is set in a terrace of similar former dwellings estimated to have been constructed in the late Victorian era.
8. The property is of random granite and spar rendered solid brick and stone construction under an interlocking concrete tiled roof. There are Upvc double sealed windows throughout. The accommodation comprises:

8.1. Ground floor

Private entrance porch with stairs leading to the first floor apartment;

8.2. Landing area

Split level floor, radiator, airing cupboard with condensing combination central heating boiler; an external door opens to external galvanised steps which in turn led down to a shared concrete courtyard;

8.3. Sitting room (5.47m x 3.37m)

Two double sealed windows, radiator, gas meter in cupboard;

8.4. Kitchen (3.9m x 2m)

With base units and wall cupboards;

8.5. Bedroom 1 (3.58m x 2.33m)

Double sealed window and radiator;

8.6. Bedroom 2 (3.4m x 2.48m)

Two double sealed windows and radiator;

8.7. Bathroom

Wet room adapted for disabled use with fitted shower and seat, pedestal hand basin, low flush WC. Waterproof vinyl flooring, radiator, double sealed window, loft access;

8.8. Outside

Immediately adjoining the rear of the property is a concrete courtyard with gated access to Slate Street. The courtyard is of insufficient size to provide suitable parking facilities. Use of this area is shared with the occupiers of 34A Glantawe Street.

8.9. All main services connected and gas fired central heating.

9. Following the inspection, the Tribunal convened to consider its decision. Neither party chose to attend the said hearing.

The Law

10. 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.

11. At the same time, s.70 requires us to disregard:

11.1. The personal circumstances of the parties ;

11.2. Any disrepair or other defect attributable to a failure by Mrs Taylor under the terms of the tenancy;

11.3. Any improvements carried out by Mrs Taylor, other than as required under the tenancy

12. We must also assume that the number of people seeking to become tenants of similar properties in the area on terms identical to Mrs Taylor's 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.

13. 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.

14. By virtue of section 72 of the Rent Act 1977, the registration of the rent takes effect from the date when the Tribunal reached our decision.

Findings of Fact & Conclusions

15. 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.

16. The rent officer had had regard to a range of rents for two bedroom properties in the SA6 postal area but we were not provided with the addresses of these properties. The rents ranged from £70 to £114 per week. Based upon that evidence, the rent officer set the market rent for the property at £100 per week.
17. Using our own skill and expertise, and having regard to the size and location of the property, we agreed with the rent officer's evaluation that £100 per week was a realistic market rent for this property.
18. We would expect carpets and curtains to usually be provided by the landlord in a rented property and therefore deduct £5 from the market rent, to reflect this.
19. The overall condition of the property was fair, with central heating and double glazing provided by FHA. The bathroom was adapted but the kitchen was small and in need of updating. We deducted £4 to reflect this.
20. We are satisfied that there is a degree of scarcity for this type of property, given its proximity to Swansea city centre and the university. As such, we made an adjustment of 15% to reflect this.

Calculations

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

Market Rent	£	£	100.00
Less Adjustments (if appropriate)			
Lack of Central Heating		0.00	
Carpets/Curtains		5.00	
Basic Kitchen/Bathroom		4.00	
Condition		0.00	
Double Glazing		0.00	
Other (specify)		<u>0.00</u>	
		<u>9.00</u>	
Adjusted Market Rent			91.00
Deduct for Scarcity	15%	<u>13.95</u>	
Fair Rent (excl services)			77.35
Add services (if any)			0.00
Fair Rent (to nearest 50p)			77.50

22. Under the Maximum Fair Rent Order, the capped fair rent is £72.59 per week, say £73 per week. As the rent we have determined exceeds the maximum fair rent, the Order applies.

Conclusion

23. The fair rent for the property is therefore capped £73 per week.

24. The registration of the rent takes effect from 2nd July 2014, the date we reached our decision.

DATED this 5th day of August 2014

A handwritten signature in black ink, appearing to read 'S A Povey', with a horizontal line underneath.

S A POVEY
CHAIRMAN