


Rent Assessment Panel for Wales

Notice of the Rent Assessment Committee Decision		File Reference Number: RAC/0002/04/16
Address of Premises 43 Green Street Chepstow NP16 5DP	The Committee members were P H Williams R Baynham	
(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.	£82.00 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.	20 th May 2016	
(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: <u>20th May 2016</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: £82.00 per week		

5. The Landlord had re-rendered the external walls some years ago, and installed a hand rail in the rear garden to facilitate access to the patio area, and he had partially double glazed the Property.
6. The Tenant has carried out many improvements to the Property. He has installed an electricity and water supply, gas central heating, a gas fire in the living room, a hand rail to the staircase, a false ceiling above the staircase, work tops and units in the Kitchen, the said shower unit, and fencing to the rear garden.
7. The Property was in reasonable condition; but there was evidence of damp to the wall and ceiling in Bedroom 2. The wooden window frames and the one metal window frame were in poor condition.
8. There were superb views of the Rivers Severn and Wye from the front bedroom
9. In accordance with Section 70 (3) of the Rent Act 1977 we have disregarded the Tenant's improvements in assessing a fair rent.
10. The Property is in an area known as Garden City and is within one mile of the centre of Chepstow, which is a small town with all the usual urban amenities.

The Hearing

11. The Hearing was by way of written representations. We first considered the representations made by the Landlord's Agents. They expressed concern over the differential between market rents and fair rents in the Chepstow area, irrespective of the capping rules. They concurred with the Rent Officer's open market rental value of £144.23p a week. but they objected to the extent of his deductions for age and character, furniture, Tenant's improvements and scarcity. Indeed they objected to any deduction for age and character. They considered that the accommodation was excellent compared with modern properties, and that it was a well laid out estate with unrestricted road parking. They considered that the other deductions were either excessive or unreasonable. They also considered that the damp was due to condensation and a lack of ventilation.
12. The responsibilities for exterior repairs and decoration and internal repairs were those of the Landlord with the Tenant only being responsible for internal decoration, in accordance with Section 11 of the Landlord and Tenant Act 1985.

Our Findings

13. The Property is a spacious three bedroomed mid terraced property in reasonable condition. In the absence of suggested comparables we have relied on our own knowledge and experience in assessing the fair rent. The Landlord's improvements have been taken into account in assessing the open market rental value and for this purpose we have assumed the Property to be in good condition, and with the benefit of a Landlord's central heating system, Landlord's double glazing throughout, a

modern Bathroom and Kitchen and with Landlord's carpets and curtains, and thereafter we have made appropriate adjustments where this is not the case. We comment on the Agents' representations as follows:-

- a. We note that the Rent Officer's range of market rents is £127 to £162 a week; but given the shared access and the fact that the adjoining occupiers can see into the living accommodation of the Property when using the shared access path, and in view of the rather steep sloping nature of the site we consider that the open market rental value is at the lower end and we have determined that the figure should be £135.00p a week.
 - b. The Rent Officer is correct in disregarding the Tenant's improvements in accordance with the said Section 70 (3) of the Rent Act 1977. The improvements were substantial and we have taken these into account in our calculation of the fair rent.
 - c. In recent times a deduction of 10% for scarcity pursuant to Section 70 (2) of the Rent Act 1977 has been appropriate for the Chepstow area. However, at present, there is considered to be a shortage of properties available for rent. The Rent Officer has deducted 20% but we have decided that the correct percentage is 15%.
 - d. We do not accept that the damp referred to above is condensation or the fault of the Tenant.
14. We consider that the Rent Officer is correct in making an allowance for the age and character of the Property and this is reflected in our assessment of the open market rental value. We also consider that the Rent Officer's deduction of £10 a week for the absence of Landlord's carpets and curtains is correct and we have made a deduction for the absence of a Landlord's Central Heating system, and the fact that the Property is only partially double glazed, and for the fact that the Kitchen and bathroom would have been basic had it not been for the Tenant's improvements. Finally we have made a deduction for the presence of damp and the poor condition of the window frames to the rear elevation.

Scarcity

15. As referred to above we have assessed scarcity at 15% in accordance with Section 70 (2) of the Rent Act 1977.

Decision

	Market Rent	135.00
Less adjustments		
Lack of Central Heating	10.00	
Carpets and curtains	10.00	
Basic Kitchen and Bathroom	13.00	
Condition	3.00	
Partial double glazing	<u>2.00</u>	<u>38.00</u>
		97.00
Deduct for scarcity at 15%		<u>14.55</u>
		<u>82.45</u>
	Fair Rent SAY	<u>£82.00p</u>

Maximum Fair Rent

16. We then considered the Rent Acts (Maximum Fair Rent) Order 1999 (the Order) and found that it did not apply so that there was no capping.

17. We accordingly determine that the fair rent of the Property is £82.00p a week, exclusive of rates and water rates

It is recorded that this Committee made its decision on the 20th May 2016

DATED this 9th day of June 2016

P H Williams

Chairman