


**Rent Assessment Panel for Wales**

<b>Notice of the Rent Assessment Committee Decision</b>		File Reference Number: RAC/0011/08/13
Address of Premises 9 Y Parciau Bala LL23 7GA	The Committee members were Mr J D M Jones Mr C H Williams Mr WD Brereton	
(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.	75.71 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: 14 <sup>th</sup> November 2013 The new rent will apply from this date.		
(3) The rent is to be registered as variable.		
(4) The amount for services is:	0.71 pence per week	
(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: The Service Charge is Variable		
Date of decision: <u>14<sup>th</sup> November 2013</u>	Chairman   _____	
<b>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.</b>		
(8) The uncapped fair rent was: N/A		

Y Tribiwnlys Eiddo Preswyl  
Residential Property Tribunal  
Rent Assessment Committee  
(Rent Act 1977)

Reference: **RAC/0011/08/13**  
Property: **9 PARCIAU, BALA, LL23 7GA**  
Landlord: **Cymdeithas Tai Clwyd**  
Tenant: **Ms. A Kimberley**

COMMITTEE: **J D M Jones**  
**C H Williams**  
**W D Brereton**

**CERTIFICATE OF RECTIFICATION**

By a Decision dated 14<sup>th</sup> November 2013 it was stated that the Fair Rent for the above property was assessed to be £79.71 inclusive of £0.71 Service Charge. This has found to be a clerical error and the correct rent is £75.71 inclusive of £0.71 Service Charge to take effect from the date of the Decision.

In accordance with Rule 10(2) of the Rent Assessment Committees (England and Wales) Regulations 1971, the Decision is rectified accordingly.

Dated this 27<sup>th</sup> day of November 2013



JDM Jones  
Chairman

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Reference: **RAC/0011/08/13**  
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**REASONS FOR THE DECISION OF THE RENT ASSESSMENT  
COMMITTEE**

1. We were duly convened as a Rent Assessment Committee on the 14<sup>th</sup> November 2013 at the Leisure Centre Bala where we had before us a reference from the Rent Officer in respect of 9 Parciau (the Property). An application dated the 25<sup>th</sup> June 2013 by Cymdeithas Tai Clwyd (the Landlord) requested the registration of a fair rent of £77.71 per week inclusive of 67p service charge. The Rent Officer registered a fair rent of £75.00 per week on the 17<sup>th</sup> July 2013 effective from that date and noted services of 67p. The Landlord appealed and the matter was accordingly referred to this committee.

**The Property**

2. The Property is located close to the centre of the town of Bala and near to its numerous amenities. It forms part of a small estate of similar properties. Outside there is a car parking space, a front side and rear garden. The accommodation comprises a small front hall leading to a living room and kitchen; upstairs is a landing, a bathroom-WC and two bedrooms. The Property appears to be well maintained. It has a basic kitchen and bathroom, double glazing and central heating. The Tenant provides carpets, curtains and the white goods in the kitchen.

3. The Tenant holds a weekly Tenancy entered in to with the Landlord on the 17<sup>th</sup> August 1992. The Tenancy Agreement was varied pursuant to a notice under section 103 of the Housing Act 1985 by the Landlord in May 2004. Clause 1.5 of this Agreement provides that the service charge shall be variable and “will be reviewed at any time on the basis of the actual or estimated costs of the services provided”.
4. It is understood that notwithstanding this the Rent Officer has registered the rent with a non-variable service charge. The rent registered on the 4<sup>th</sup> February 2011 was £69.00 inclusive of services.
5. The Rent Officer assessed the fair rent at £75.00 registered on and effective from the 17<sup>th</sup> July 2013. This included a non-variable service charge of 0.67p per week. The Committee has details of the Rent Officer’s calculation of the fair rent from which it is noted that he considers the market rent to £91.00 per week; he makes allowances for carpets and curtains which would normally be provided by a Landlord and makes a deduction of £13.00 per week for scarcity as required by the Rent Act 1977.

### **The Hearing**

6. The Committee inspected the Property on the 14<sup>th</sup> November 2013 in the presence of the Tenant and the Hearing took place later that afternoon.
7. The Landlord was represented by Mrs. M Ellis-Williams. The Tenant appeared in person.
8. Mrs. Ellis-Williams said that the service charge had been changed to a variable service charge by the Agreement made in May 2004 but this had not been reflected in subsequent registrations. The Landlord’s objection to the registration was to rectify this error. Subject to this the Landlord was content with the way that the rent had been registered. The Tenant confirmed that there was no issue over the service charge for communal gardening. Mrs. Ellis-Williams produced a schedule for the 2013-14 calculation which showed the service charge was now 0.71p per week.
9. Mrs. Ellis-Williams confirmed that there was a substantial waiting list for property of this type in the area and that there was a good demand for such accommodation. The local housing allowance for this type of two bedroom property is £82.55 per week plus services.

### **The Committee’s Findings**

10. The Committee determined the fair rent having regard to the provisions of section 70 of the Rent Act 1977. This provides that regard shall be had to all of the circumstances and in particular to the age, character, locality and state of repair of the property. In addition, the Committee is required to calculate the maximum fair rent in accordance with the Rent Act (maximum fair rent) Order 1999. When the maximum fair rent applies the rent to be registered is the lower of the maximum fair rent and the fair rent.

11. Using its knowledge of rents in the area the Committee consider that a market rent of £98.00 per week is appropriate. The Property has the benefit of double glazing and central heating. The Committee considers that an adjustment should be made to reflect the fact that the bathroom and kitchen are basic and are now somewhat dated and the letting does not include carpets and curtains. The Committee allowed £10 to reflect this. In addition, the Committee accepts that there is evidence of scarcity which is assessed at 15% and accordingly a further deduction of £13.20 per week is made.
12. The Committee calculate the fair rent to be £75.71 per week inclusive of 0.71p service charge. The Committee accept that the Tenancy Agreement provides for variable service charge and consider that the sum of 0.71p requested by the Landlord at the Hearing be reasonable.
13. The Committee calculate the maximum fair rent to be £79.71 per week inclusive of 0.71p for services using a present RPI of 251.09; an RPI for the month of the last registration of £231.03 and an enhancement value of 0.05. This gave a maximum fair rent of £79.71 inclusive of a variable service charge of 0.71p. As the maximum fair rent is higher than the fair rent the order does not apply.
14. The Committee determined that the fair rent to be registered is £75.71 per week inclusive of a variable service charge of 0.71p.

Dated this 27<sup>th</sup> day of November 2013



JDM Jones  
Chairman