


Rent Assessment Panel for Wales

Notice of the Rent Assessment Committee Decision		File Reference Number: RAC/0019/02/16
Address of Premises Bro Dawel, Llanfaes, Beaumaris, Anglesey LL58 8LP	The Committee members were Trefor Lloyd Tom Daulby MRICS	
(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.	£78.50 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.	14 th April 2016	
(3) The rent is not to be registered as variable.		
(4) The amount for services is:	NIL	
(5) The amount for fuel charges (excluding heating and lighting of common parts) not counting for rent allowance is:	NIL	
(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: 14 th April 2016	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: £ NOT APPLICABLE		

TRIBIWNLYS EIDDO PRESWYL
RESIDENTIAL PROPEY TRIBUNAL
RENT ASSESSMENT COMMITTEE

Reference: RAC/0019/02/16

Property: Bro Dawel, Llanfaes, Beaumaris, Anglesey, LL58 8LP

Landlord: Mountview Estates plc

Tenant: Mr J Harley

Committee: T Lloyd, Chairman
T Daulby FRICS, Surveyor

Reasons for the Decision of the Rent Assessment Committee

1. We were duly convened as a Rent Assessment Committee on 14th April 2015 under the provisions of the Rent Act 1977.

The Reference

2. We had before us a reference from the Rent Officer (Wales) in respect of Bro Dawel, Llanfaes, Beaumaris, Anglesey ("the Property"). The Tenant had appealed a rent of £82.50 per week and effective from 9th March 2016.
3. As a result of the Tenant objecting to the registration the matter was referred to this Committee.
4. Mountview Estates plc ("hereinafter referred to as the Landlord") made an application dated 11th December 2015 for registration of a fair rent of £89.00 per week.
5. The Rent Officer proceeded to determine the fair rent as £82.50 per week.
6. By way of letter dated 13th January 2016, Mrs J Harley ("hereinafter referred to as the Tenant") objected to the registration and accordingly the matter was referred to this Committee, both parties having elected for the matter to proceed by way of written representations.

The Inspection

7. The Committee inspected the Property on the morning of 14th April 2015. The inspection took place in the presence of the Tenant.
8. The property is situated within the small hamlet of Llanfaes approximately 3 miles from Beaumaris in South East Anglesey. It is situated in a rural area with limited local amenities, comprising a village shop. Further services are available within Beaumaris town centre.
9. The property comprises a small detached cottage constructed from solid stone built elevations situated beneath a timber framed slate clad roof. More recent extensions of stone and part single skin brick have been provided to the rear of the property being of similar construction. The property is in a poor condition of repair and decorative order, and lacks adequate heating and ventilation, with evidence of timber decay and damp penetration observed throughout.
10. Externally the property has softwood timber fascia boards and soffits with a proprietary brand of plastic rainwater fittings together with softwood timber single glazed windows which have secondary glazing to part.
11. The accommodation is arranged at ground level and comprises a living room with reception area, and is fitted with poor quality kitchen and bathroom facilities. A single bedroom is provided with further access to an office and study which could be used for occupation as a small children's bedroom if required.
12. Elevated garden areas are situated to the rear, comprising grassed areas with mature trees with a further small cottage style garden to the front. There is no parking within the property parking being limited to shared off road parking facilities a short distance away.

The Hearing

13. At the hearing consideration was given to the written representations made by the Tenant and the Landlord.

The Decision

14. As referred to above the parties did not request a hearing. We reached our decision based upon our inspection of the Property and upon the information before the Committee, including the Rent Officer's working papers, a copy of the Rent Register, the Application dated 11th of December 2015, the Tenant's undated handwritten letter and sketch plan of the property.
15. The Committee is required by Section 70 of the Rent Act 1977 to disregard the personal circumstances of the parties, any disrepair or other defects attributable to a failure by the Tenant under the terms of the Tenancy and any improvements carried out by the Tenant other than as required by the Tenancy.
16. The Committee is also required to have regard to the Rent Acts (Maximum Fair Rent) Order 1999 (the Maximum Fair Rent Order), which places a cap on the permissible amount of increase of fair rent between one registration and a subsequent registration. The cap is based upon the amount of increase in the Retail Price Index between the dates of the respective registrations.
17. The starting point for assessing a fair rent under Section 70 of the Rent Act 1977 is to establish the market rent for the Property. Thereafter a number of adjustments are made to reflect the requirements of Section 70 of the Rent Act 1977.
18. Neither Landlord or Tenant provided evidence as to rent of other similar properties in the locality. The Rent Officer provided a list of rented properties predominantly in Beaumaris with 2 comparables relating to terraced 2 bedroom houses in nearby Llangoed and one semi-detached house in the further village of Llanddona. The comparables were a mixture of terraced and semi-detached properties and self contained converted flats. Two terraced houses were furnished, and one partially furnished with the remaining comparables relied upon unfurnished. The Committee mindful of the comparables presented utilised its own experience and expertise and having regard to all the requirements of Section 70 of the Rent Act 1977 consider that the market rent for the Property is £122.00 per week.
19. As regards scarcity, the Rent Officer made a deduction and we agree with his view that the appropriate deduction is 15%, which also accords with other Tribunal decisions in the area.

Calculations in Respect of the Decision

20. Applying the above findings and conclusions we determine the fair rent as follows:

Market rent (per week)	£122.00
Less adjustments	
Lack of Central Heating	£ 5.00
Carpets / Curtains	£ 3.00
Basic Kitchen / Bathroom	£ 5.00
Condition	£ 12.00
Double Glazing	£ 5.00
<u>Adjusted market rent</u>	<u>£ 92.00</u>
Deduction for scarcity at 15%	£ 13.80
Total	£ 78.20
Fair Rent (Adjusted to nearest 50p)	£ 78.50

22. The Tenancy is subject to the Rent Act (Maximum Fair Rents) Order 1999. The maximum fair rent under this order is capped at £83.00 per week. Our calculation is set out in the attached Schedule.

23. Accordingly as the order does not apply we record that the fair rent for the Property is £78.50 per week.

24. For the purposes of the Rent Act 1977 (as amended) it is recorded that the decision was made on the 14th April 2016.

Dated this 14th day of April 2016



PROCEDURAL CHAIRMAN