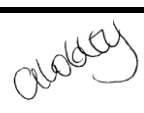


Rent Assessment Panel for Wales

Notice of the Rent Assessment Committee Decision		File Reference Number: RAC/0025/11/13 Abbey Road
Address of Premises Flat 1 5 Abbey Road Llandudno LL30 2EA	The Committee members were AVS Lobley CW Williams	
(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.	£350.50 per month (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.	28 th January 2014	
(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: <u>28th January 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: N/A		

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

Reference: RAC/0025/11/13/Abbey Road

Property: Flat 1, 5 Abbey Road, Llandudno, LL30 2EA

Landlord: Mostyn Estate Limited

Tenant: Mr G Roberts

COMMITTEE: AVS Lobley - Chair
Mr. C Williams FRICS - Surveyor

REASONS FOR THE DECISION OF THE RENT ASSESSMENT COMMITTEE

1. We were duly convened as a Rent Assessment Committee under the provisions of the Rent Act 1977 (the Act) on 28th January 2014 at flat 1, 5, Abbey Road, Llandudno, LL30 2EA. We had before us a reference from the Rent Officer in respect of the Property. The rent had previously been registered as £316.50 per calendar month on 16th November 2011. On 17th September 2014, the Landlord applied again for registration of a Fair Rent, of £352.58 pcm. On 4th November 2013, the Rent Officer registered a rent of £337.50 pcm, effective from 16th November 2013. The Rent Officer used a relevant market rent starting point of £475 pcm. Deductions were made of £61 for age and character (tenant's contribution towards central heating, plus older bathroom fittings and damp), £17 for part furnishings and carpets and £59.50 in respect of scarcity. On the basis of those calculations, the Maximum Fair Rent (MFR) did not apply.
2. The matter was referred to the Residential Property Tribunal on 19th November 2013. The Landlord objected to the rent registered, on the grounds that the RPI in November 2011 had been 238.50 and was 251.90 in September 2013, an increase of 5.6%. They considered the figure of £316.50 should be increased by 5.6% (£15.83) and by 5% (17.72), giving a new rent of £350.05. It was pointed out to the Landlord by the Rent Officer in a letter dated 20th November 2013 that the calculations in the Landlord's letter dated 20th November 2013 only came into effect if the MFR came into effect in the registration. The Fair Rent registered was lower than the MFR.

THE PROPERTY

3. The Property is a three bedroom flat in the ground and lower ground floor of a large semi detached Victorian house in a residential area of Llandudno, close to the sea front. The Property is accessed from Abbey Road via a gate and has the benefit of garden to the front and side, which are maintained by the tenant. At the rear is car parking for 3 or 4 cars, though the other tenants have access to this. The tenant maintains the gardens, under an agreement entered into in January 1973. The Committee inspected the Property on

28th January 2014, in the presence of the Tenant's wife. The Landlord was not in attendance.

THE COMMITTEE'S FINDINGS

4. The Committee had to determine the Fair Rent, having regard to Section 70 of the Act which provides that regard shall be had to all the circumstances, and in particular, the age, character, locality and state of repair of the dwelling house. The Committee also had to calculate the MFR in accordance with the Rent Act (Maximum Fair Rent) Order 1999. Where the MFR applies, the rent registered is the lower of the fair rent and the MFR. The Committee, from its knowledge of rents in the area, considered that a market rent of £560 pcm was reasonable. It was apparent from the Committee's inspection that the property had the benefit of heating but the Property would need to be updated in order to be let on an assured shorthold tenancy. Carpets and curtains would be needed, even if let unfurnished, and the bathroom would need updating. The Committee noted evidence of damp in the lower ground floor and the Property had the benefit of very large sash windows, but these were not double glazed. The Committee made the following adjustments to the rent figure to allow for these matters: £20 carpets and curtains, £12 bathroom, £12 condition, £12 lack of double glazing. The Tenant had contributed to the central heating but this was 20 years ago.
5. The Committee also had to adjust the market rent to take account of matters which have to be disregarded under the Act, including scarcity which the Committee assessed at 15% and made a deduction of £75.60 for this. The Committee calculated the Fair Rent to be £428.40
6. The Committee calculated the Maximum Fair Rent to be £350.50 using a present RPI of 252.1, an RPI for the month of last registration of 238.50 and an enhancement value of 0.05. This gave a Maximum Fair Rent of £350.50. The MFR therefore applies and the Committee determined a rent of £350.50.
7. A summary of the Committee's calculations of the Fair Rent and MFR is attached.
8. The Committee determined that the Fair Rent to be registered is £350.50 pcm.

DATED this 27th day of February 2014



CHAIRMAN

CALCULATION OF "MAXIMUM FAIR RENTS"

Ref No:- RAC/0025/11/13

ADDRESS Flat 1, 5, Abbey Road Llandudno LL30 2EA

DATE _____

R.P.I. figures are :-

(a) Present R.P.I. (published last month) 251 1

(b) R.P.I. for month of last registration 238 5

CALCULATION

Present R.P.I. (a) 251 1

Less R.P.I. at last registration (b) 238 5

(c) 13 6

Divide result by R.P.I. at last registration i.e. (c) by (b)

(c) 13 6 equals 0 570
 (b) 238 5

(see note) Add 0.075 or 0.05 0.107

Add 1 1.00

Multiply by last registered rent net of variable services 1.107

Last registered rent 316 5 350 37
 Less variable services £ £

Round UP to nearest 50p £ 350 5

Add variable services fixed by Committee £ wk/cm/pa
 £ 350.5

MAXIMUM FAIR RENT 350.5

(The Committee assessed a fair rent of £ 428

NOTE :- if this is NOT the first application for registration after 1st February 1999 add 0.05.
 Add 0.075 if first registration after the limit was introduced.

CALCULATION OF MARKET RENT

Ref No :- RAC/0025/11/13

ADDRESS : Flat 1, 5 Abbey Road, Llandudno, LL30 2EA

DATE 28th Jan 14

MARKET RENT 560

LESS ADJUSTMENTS (if appropriate)

Lack of Central Heating	£	
Carpets / Curtains	£20.00	
Basic Kitchen / Bathroom	£12.00	
Condition	£12.00	
Double Glazing	£12.00	
Other (specify)	<u>£</u>	<u>56</u>

ADJUSTED MARKET RENT 504

Deduct for Scarcity at 15% 75 6

Fair Rent ' (Ex - Services) 428 4

Add Services (if any) £

428