


Rent Assessment Panel for Wales

Notice of the Rent Assessment Committee Decision		File Reference Number: RAC/0031/02/14 Chatterton Square
Address of Premises 22 Chatterton Square Windsor Quay Cardiff CF11 7PD	The Committee members were P. H. Williams R.W.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.	£99.37 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.	19 th May 2014	
(3) The rent is not to be registered as variable.		
(4) The amount for services is:	£2.87 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: N/A		
Date of decision: 19 th May 2014	 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: £108.27		

Y TRIBIWNLYS EIDDO PRESWYL

RESIDENTIAL PROPERTY TRIBUNAL

**RENT ASSESSMENT COMMITTEE
(Rent Act 1977)**

Reference **RAC/0031/02/14**

Property: Number 22 Chatterton Square Windsor Quay Cardiff CF11 7PD (the Property)

Landlord: United Welsh Housing Association

Tenant: Mr G Pearce

COMMITTEE: Chairman	P H Williams
Surveyor	R Baynham

REASONS FOR THE DECISION OF THE RENT ASSESSMENT COMMITTEE

The Reference

We were convened as a Rent Assessment Committee at the Tribunal's offices at Wood Street Cardiff on the 19th May 2014. The Landlord had applied on the 28th November 2013 for the property to be re-registered at £97.15p a week. It then stood at £86 a week. The Rent Officer registered a new fair rent of £91 a week on the 27th January 2014 and which rent included the sum of £2.87 for Services.

The Inspection

The Committee inspected the Property in the presence of the Tenant. The Property is an end of link house built circa 1990 of brick with an asbestos tiled roof and has double glazed windows and external doors throughout. It is situated in an attractive square of 54 similar properties. The Property has a rear garden paved and with a lawn area and there is a small garden forecourt to the front and side and the Tenant has the right to park one vehicle within the square.

The Property has a recessed entrance hall with a staircase leading to the First Floor. The Ground Floor comprises a through lounge/dining room and a kitchen with base and wall units. The First Floor comprises a landing, two double bedrooms and a smaller bedroom/study. The Bathroom has a bath (with shower over) a wash hand basin and a water closet. There is an airing cupboard off the landing. The Property has a full gas central heating system and a combination boiler.

The Tenant has kept the interior in very good order and has carried out a number of improvements. These include 2 garden sheds, carpets and curtains throughout, a glass shower screen and he has laid laminated floors in the dining area and the rear bedroom.

The Tenant had laid a cushioned floor in the Bathroom but the Landlord has now replaced same with a lino covering. The Tenant has also supplied all the white goods for the Kitchen. In accordance with Section 70 (3) of the Rent Act 1977 we have disregarded all these improvements in assessing a fair rent.

The Property is situate in Cardiff Bay and is within easy walking distance of the Retail Park and about 2 miles from the City Centre to which there is a frequent bus service.

The Hearing

The hearing was by way of written representations. We first considered the 8 points of objection raised by the Tenant in his email to the Tribunal of the 11th March 2014. The first 3 points relate to his personal circumstances but the rent legislation prevents us from taking these into account. Point 4 is not relevant as the fact remains that the Tenant has been a tenant throughout his occupancy and he has not exercised his right to purchase. Point 5 is not correct in that the previous rent registration was on the 26th September 2011. Point 6 again relates to personal circumstances which we are not able to take into account. As regards Point 7 we entirely agree that the Tenant has kept his home in excellent condition and, as stated above, we have disregarded his improvements so that he is not prejudiced. The boiler is presently in good working order and we are obliged to assess the rent as of now and not take into account any previous history. The floorboards in the bathroom did creak on inspection but we do not consider that this will materially affect the rent. We did not experience any noise from the pipework but again this would not have a material effect on the rent. We appreciate that dog faeces is a nuisance but the Landlord does employ a groundsman on a regular basis to alleviate this problem and generally to keep the square clean. The problem here is inconsiderate dog owners and we consider that the Landlord is fulfilling its responsibilities by employing the groundsman. At the date of inspection the weather was clement but the windows and doors appeared to be in good condition and the exterior properly painted. As regards Point 8 we have assessed the rent afresh, using our own knowledge and experience in order to establish a fair rent.

The responsibility for exterior repairs and external decoration is that of the Landlord and the Tenant is responsible for internal decoration in accordance with Section 11 of the Landlord and Tenant Act 1985.

Our Findings

The Property is a 3 bedroomed end of link property in good condition. The Rent Officer has assessed a market rent of £134 a week and then made deductions for the age and character of the Property, the absence of Landlord's carpets and curtains, disrepair and scarcity. We concur with the Rent Officer that the market rent is £134 a week but as the property is only about 24 years old and in good condition, we do not agree that there should be deductions of £5 and £3 respectively. We also consider that the absence of carpets and curtains is a proper deduction but we assess same at £10 a week. We deal with scarcity below and accept that the variable service charge of £2.87p should be added to the rent.

Scarcity

The Rent officer has assessed scarcity at 20%. Whilst we consider that the demand for rented property in Cardiff Bay exceeds the supply we consider that the percentage is slightly lower at 15%. In accordance with Section 70(2) of the Rent Act 1977 we have disregarded this element.

Decision

We find that the market rent for the Property, in good condition and with central heating and a modern kitchen and bathroom is £134 a week. As the Tenant has supplied the carpets and curtains we have adjusted the market rent figure as below.

	Market Rent	134.00
Less adjustments		
Absence of carpets and curtains		<u>10.00</u>
		124.00
Deduct for scarcity at 15%		<u>18.60</u>
		105.40
Add Landlord's services		<u>2.87</u>
	Fair Rent	<u>£108.27p</u>

Maximum Fair Rent

We then considered the Rent Acts (Maximum Fair Rent) Order 1999 and concluded that it did apply and we calculated same at £99.37p a week, which sum includes the amount of £2.87p for the Landlord's variable service charges.

We accordingly determine that the Fair Rent to be registered is £99.37p a week inclusive of the said sum of £2.87p for services but exclusive of rates and water rates.
It is recorded that the Committee made its decision on the 19th May 2014.

Dated the 3rd day of June 2014



Chairman