


**Rent Assessment Panel for Wales**

<b>Notice of the Rent Assessment Committee Decision</b>		File Reference Number: RAC/0033/03/14 Northcote
Address of Premises  Northcote Factory Road Llanblethian Cowbridge CF71 7JD	The Committee members were  P H Williams - Chairman R Baynham - Surveyor	
(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.	£83.30 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 <sup>th</sup> June 2014	
(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: N/A		
Date of decision: 20 <sup>th</sup> June 2014	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: £83.30		

**Y TRIBIWNLYS EIDDO PRESWYL**

**RESIDENTIAL PROPERTY TRIBUNAL**

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

**Reference** RAC/0033/03/14

**Property:** Northcote, Factory Road, Llanblethian, Cowbridge, Vale of Glamorgan,  
CF71 7JD

**Landlord:** Mr D G Thomas

**Tenant:** Mrs S Newton

**COMMITTEE:** Chairman P H Williams  
Surveyor R Baynham FRICS

**REASONS FOR THE DECISION OF THE RENT ASSESSMENT COMMITTEE**

The Reference

- 1) We were duly convened as a Rent Assessment Committee on the 20<sup>th</sup> June 2014. We had before us a reference from the Rent Officer. The Tenant had appealed a fair rent of £80.00 a week determined by the Rent officer on the 18<sup>th</sup> February 2014, effective from that date, the previous fair rent of £64.00 a week having been registered on the 9<sup>th</sup> December 2006

The Inspection

- 2) Prior to the hearing we inspected the Property and we also had the opportunity of viewing the immediate locality. The Tenant was present at the inspection, as was Ms L Eley of Herbert R Thomas, Chartered Surveyors, on behalf of the Landlord.
- 3) The Property was built circa 1900 and is a two storied semi-detached dwelling which has been cement rendered to the front and rear. It had a new asbestos slate roof and the rainwater goods had largely been replaced. There was a good sized front garden laid in lawn with a flower border and a concrete path to the front door with a wide gravelled driveway leading to the attached single garage. A door and archway led through to the rear garden. This consisted of a small lawn, a concrete paved area and a vegetable patch. Steps led down to a stream which abutted the curtilage. There was a small coal store in the rear garden and the Tenant had erected a greenhouse and various garden sheds. The Property was fronted by a narrow highway.

- 4) The accommodation on the ground floor consists of an entrance hall, a sitting room, a dining room and a kitchen. The tenant had erected a conservatory accessed from the kitchen and the original Water Closet ran off the conservatory. There was a pantry in the kitchen which now housed a new boiler. The two living rooms had fireplaces and surrounds which the Tenant still used. The first floor comprised two double bedrooms and one single. The Bathroom contained a bath, wash hand basin, water closet, a shower and a heated towel rail. The Property benefited from an electric central heating system and had mains electricity, water and drainage.
- 5) In 2013 the Landlord had renewed the roof with asbestos tiles, had rewired throughout, installed the central heating system and boiler, and replaced the majority of the rain water goods.
- 6) The Tenant and her late husband had carried out a large number of improvements over the years. She had installed coving and skirting, added surrounds to the two fireplaces in the living rooms, replaced the internal doors on the ground floor, installed two handrails to the staircase, and created a new ceiling to the third bedroom. In the bathroom she had installed a water closet, where previously there had only been the said outside one. She had also installed a wash hand basin, an electric shower and heated towel rail. She had built the conservatory and extended the garage by about five feet in length and installed a metal up and over door for the garage. She had tiled some of the walls in both the kitchen and bathroom and laid Marley tiles in the kitchen. She had also provided all the carpets and curtains. In the kitchen she had replaced the original Belfast sink with a sink and draining board and had fitted all the wall cupboards and units, other than two double cupboards at ground floor level which the Landlord had fitted. She had erected the greenhouse and garden sheds and the said archway and door to the side of the Property. Her late husband had also fitted partial secondary glazing to some of the windows. In accordance with Section 70(3) of the Rent Act 1977 we have disregarded these improvements in determining the fair rent.
- 7) As a result of the Landlord's improvements the Property is now in an improved condition. However, the wooden window frames are in a generally poor condition, being rotten in places and lacking paint. They are also single glazed other than where the Tenant has fitted partial secondary glazing. The front door was also ill fitting in places. The capping of the place where the old boiler had been replaced in the kitchen was poor and rather amateurish and we could see evidence of the dirt and debris of which the Tenant has complained in her written representations. The new electric boiler was on the large size but appeared more than sufficient to fulfil its function and appeared to us to be perfectly satisfactory. The Marley tiles in the kitchen were in poor condition but we note that they were laid by the Tenant.
- 8) The Property is situated in a desirable and semi-rural location, approximately one mile from the Centre of Cowbridge. There were no shops in the immediate vicinity and only a periodic bus service. The access road was quite narrow. Cowbridge is a small but popular town with most urban amenities.

## The Hearing

9) The Hearing was by way of written representations. At the Hearing we considered the representations made by the Tenant and the Landlord. The Tenant is generally correct in making her objections to the state of the windows, and the front door, and the capping of the old boiler. It is also a fact that there had only been a Belfast sink in the kitchen, an outside water closet and an absence of a wash hand basin in the bathroom and that it was largely due to her own efforts that the Property had been made habitable. We do not, however, accept her complaint about the state of the Marley tiles in the kitchen as she had laid the same. Whilst we understand her concerns over the cost of running the boiler and the hot water system, it is a modern boiler and capable of regulation and we do not consider its size to be an issue. The Landlord has undoubtedly improved the Property by installing a new roof, an electric central heating system and replacing the majority of the rain water goods. However, we must disregard the Tenant's improvements and this means we are looking at an extremely basic kitchen and bathroom and this does not affect the rent.

## Scarcity

10) We agree with the Rent Officer that there is a relatively high level of scarcity which we must disregard in accordance with Section 70(2) of the Rent Act 1977. However, we are minded that whilst the area is a desirable one it does suffer from the fact that there are few amenities in the immediate locale and that there is limited transport to Cowbridge. We accordingly determine that the scarcity shall be set at 15%, rather than the 20% assessed by the Rent Officer.

## Market Value

11) We note that the Rent Officer has adopted an open market rental value of £155.00 a week but given the attractiveness of the area we determine that this shall be slightly higher and assess it at £160.00 a week

## Responsibility for Repair

12) The responsibilities are set out in Section 11 of the Landlord and Tenant Act 1985 with the Landlord being responsible for external decoration and repairs and with the Tenant being responsible for internal decoration.

## Decision

13) The Property is a semi-detached dwelling with three bedrooms, and is in reasonable repair; but with the above noted defects. It is situated in a desirable semi-rural location.

14) We determine that the open market rental value of the Property is £160.00 a week but on the assumption that it is in good repair, has central heating, double glazing, a modern kitchen and bathroom, and is fitted with carpets and curtains. We accordingly have made deductions for the absence of a modern kitchen and bathroom, the noted disrepair, the

absence of double glazing, and the absence of carpets and curtains. Our calculation is as follows :-

	Market Value	160.00
Less adjustments		
	Carpets and curtains	12.00
	Basic kitchen and bathroom	30.00
	Condition	10.00
	Double glazing	<u>10.00</u>
		62.00
	Adjusted Market rent	98.00
	Deduct for Scarcity at 15%	<u>14.70</u>
	Fair Rent	<u>£83.30</u>

15) We then considered the provisions of the Rent Acts ( Maximum Fair Rent ) Order 1999 and found that it did not apply.

16) We accordingly determine that the Fair Rent for the Property is £83.30 a week exclusive of rates.

17) This Committee made its decision on the 20<sup>th</sup> June 2014

DATED this 4<sup>th</sup> day of July 2014



Chairman