

Affordable Housing Rent & Service Charge Policy (Scotland)

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1. Introduction and scope

- 1.1. This Rent and Service Charge Policy (Scotland) forms part of the wider Affordable Housing Rent & Service Charge Policy and sets out how the organisation will set, review, and change rent and service charges for customers.

2. Policy Statement

2.1. General statement

- 2.1.1. Places for People's Affordable Housing businesses will set and manage rent and other charges to customers in accordance with the following principles:
 - (a) Compliance with all relevant legislative obligations.
 - (b) Compliance with statutory guidance issued by government supervisory agencies including the Regulator of Social Housing, the Scottish Housing Regulator, the Ministry of Housing, Communities and Local Government, and any successors or other statutory or regulated agencies appointed in this area.
 - (c) Within the terms of tenancy contracts issued to customers.
 - (d) In a manner which ensures the financial viability of the Places for People Group.
 - (e) In a fair and equitable manner as regards the interests of customers.
 - (f) In consultation with customer representatives, where required.

2.2. Training

- 2.2.1. Training on the Affordable Housing Rent and Service Charge Policy will form part of the induction training for all new Housing Management and Development staff. Additional training will be provided for staff who deal specifically with the setting and review of rents and service charges. This document should be read in conjunction with relevant procedural guidance for colleagues as it relates to specific areas of operation.

2.3. Communication

- 2.3.1. Principles for rent setting and review will be made available to customers in an easily understandable form. A customers Q&A section is reviewed annually and provided on the Places for People website for this purpose.
- 2.3.2. Details of how to appeal against a rent increase will be made available to those customers who have the right to appeal.
- 2.3.3. All customers will receive written notice of any proposed changes to their rent or other charges in line with the terms of their tenancy agreement and any statutory requirements.
- 2.3.4. Customers will not receive a rent increase more than once every 52 weeks.

2.4. Equal Opportunities

- 2.4.1. We will not discriminate in the operation of this policy on the basis of gender, race including colour, nationality, ethnic or national origin, religion or belief, age, disability, sexual orientation, pregnancy and maternity, marriage or civil partnership or gender reassignment. We aim to promote equal opportunities and comply with the requirements of the Equality Act 2010.

3. General Principles

- 3.1.1. The Social Housing Charter outcomes for rents and service charges in Scotland seek to ensure that:
- a. A balance is struck between the level of services provided, the cost of those services and how far current and prospective tenants and other customers can afford them
 - b. Tenants get clear information on how rent, service charges, and other money is spent
- 3.1.2. Guidance contained in the Social Housing Charter will be followed, unless the Scottish Government introduces legislation that sets aside, however temporary, the terms and conditions of the Charter. This legislation could take the form of time-limited rent caps and freezes on levels of rent.
- 3.1.3. This rent and service charge policy applies to all our rented, residential leased, and shared ownership properties in Scotland.
- 3.1.4. The level of rent to be charged for each property, where a new tenancy agreement is issued, is based on a property's relative value, relative local income levels, with weighting applied based on the number of bedrooms in that property. Between 1995 and 31 January 2024, the level of rent to be charged for each property was based on a rent points system and balanced with different affordability calculations. These base calculations will still be applicable for existing customers.
- 3.1.5. Affordability is calculated by individual local authority measures to ensure a balance between average earnings and average rents. In line with Scottish Federation of Housing Associations (SFHA) guidance, households should, on average, spend approximately 30% of household income on rent regardless of tenure, size, amenities and level of services to common areas. The average income measurement we use is sourced from the SFHA's sophisticated datasets.
- 3.1.6. The rent setting policy will be used to determine rent levels and will be the basis for submitting proposed fair rent levels to the Rent Officer for former secure tenants with pre-January 1989 tenancies.
- 3.1.7. Rents do not include charges for any services we provide for communal areas, such as cleaning of stairs and grounds maintenance. Service charges are applied

separately to the rent charge.

3.2. Client Group and Affordability

3.2.1. We aim to provide social rented housing for customers at a rent level they can afford.

3.2.2. Affordability is based on the idea that there is some proportion of a household's income that could be paid in rent and services for a dwelling of a given quality standard without causing hardship.

3.2.3. When setting rent levels for a customer signing a new tenancy agreement, we use 70% of the median household earnings at the relevant local authority level. The precise equation is outlined below at Paragraph 4.1. Prior to 31 January 2025, we chose to measure affordability using likely income based on (ONS) produced data for “elementary occupations”, “bottom decile earnings” and minimum wage rates. We measure our rents against these earnings and deem rents to be affordable if the rents are 25% - 30% of earnings.

3.3. Required Rental Income

3.3.1. Rent setting describes the process of working out the total amount of rent we have to charge, in order to cover all costs. They are common costs shared by all tenants. The costs that have to be covered by rental income include:

- (a) **Housing Management Costs** - these are costs associated with the provision of Housing Management services.
- (b) **Voids and Bad Debts** - these are the amounts of rental income lost when a property is empty or when rent arrears cannot be recovered.
- (c) **Property Maintenance costs** - these are costs associated with the provision of a day-to-day repairs service and a cyclical maintenance programme.
- (d) **Planned Maintenance** - these are costs associated with improving or replacing building components. We have a life cycle costing system which enables the actual costs of renewals and replacements to be determined.
- (e) **Indirect and overhead costs** - these are costs associated with support services that enable day-to-day services to deliver and are outside the Housing Management costs e.g. information technology.
- (f) **Interest charges** - these are costs associated with the private loans taken out to fund the building or the improvement of the housing stock. The cost of a private loan will depend on the

amount borrowed, the length of time it was borrowed for, and the interest rate charged by the lender.

- (g) **New Development** – these costs are associated with our development pipeline to build new affordable housing across Scotland.

4. Rent Calculation

- 4.1. Rent is calculated by using 30% of the property's relative value, 70% of the relative local income levels and applying a weighting based on the number of bedrooms so that smaller properties will have lower rents. This rent calculation is equivalent to England, but using Scottish data equivalents detailed below.

$$\begin{aligned} \text{Weekly Rent} = & 70\% \times \text{Average Rent (County Earnings} \times \text{No Bedrooms)} \\ & + \\ & 30\% \times \text{Average Rent (Property Valuation)} \end{aligned}$$

1. National Average Rent = £97.06
Source: Scottish Housing Regulator

Average weekly rents 2022/23 by Landlord only as it provides a more definitive average as it takes into consideration the weighting of properties across all LA's.

2. Relative County Earnings
Source: ONS / Annual Survey of Hours and Earnings (ASHE)

Median earnings as recommended by the ONS for statistical analysis and is used for their analyses. When using the mean average the to prevent skewing the distribution of earnings.

3. Bedroom Weight
Source: NEC (PFP Data)

The bedroom weight refers to the number bedrooms within a self-contained property.

4. Property Value - Existing Use Valuation
Source: Treasury (PFP Data)

The most appropriate housing valuation for the purposes of rent setting would be the Existing Use Valuation, however is not comparable with the national average property valuation available. The most appropriate and comparable valuation to the ONS HPI

valuation is the MV-VP valuation. As such this dataset was used for each property value.

5. National Average Property Value

Source: ONS

The most appropriate housing valuation for the purposes of rent setting would be the Existing Use Valuation however this information isn't available as a national average figure for Scotland. We engaged with the SHR to ask if they had this information and they confirmed it wasn't readily available.

The ONS regularly publish information regarding the average property value per the Housing Price Index which includes information by country including Scotland which is equivalent to the Open Market Value (OMV). Per the latest publication in June 2023 the average property value in Scotland was £189,000.

- 4.2. The above principle was applied to all our properties in April 2025 when the basis of the current Rent Policy was introduced. Our present policy, in consultation with our customers is that annual increases be no more than the Consumer Price Index (CPI) in September + 1% each year.

5. Occupancy Charge Calculation

- 5.1. Occupancy charge for shared ownership homes will be determined on a scheme-by-scheme basis and comply with rent levels agreed. This approach is to be taken as we are a national organisation and operate in many different local housing markets. We will assess the affordability of each scheme, taking into account local factors. No set figure is applied but the occupancy charge is set within the limits of the Group's Eligibility and Affordability Policy.
- 5.2. All rents will be reviewed annually or bi-annually in line with terms set out within individual leases, unless external economic factors, such as exceptionally high inflation, mean that consideration of a cap on rental increases is required. Where the terms of the lease are deviated from, approval for this will be sought from the Executive Team.
- 5.3. For homeowners whose lease does not contain a specific term concerning the annual rent increase, annual changes in rents will be agreed based on the Retail Prices Index (RPI) as at the previous September as well as the prevailing external economic climate referred to in the above paragraph. Any recommendations in relation to this made by the Rents and Service Charge Policy and Strategy Group will be subject to approval by the Executive Team.

- 5.4. Occupancy charges in the case of surrender and re-grant (where the previous customer was not an assured tenant) and newly developed properties will be set based on the remaining equity of the property value.
- 5.5. Occupancy charges for properties which are not directly managed by the Group shall be set in accordance with the Group's policy, and the managing agencies advised accordingly.
- 5.6. Customers will be advised of their rights regarding appeals against rents, internally and to the First-tier Tribunal (where permitted), and of our policies regarding rent abatement or reduction, compensation and repayment as required.

6. Service Charges

- 6.1.1. This section relates to service charges for properties in Scotland.
- 6.1.2. Fixed or variable service charges are paid by customers as part of, or in addition to, rent and/or ground rent to meet the cost of any communal services provided by us and/or our agents or the agents of superior landlords. (See definitions) We will ensure that customers are charged fairly and transparently for the services they receive.
- 6.1.3. The services provided will be clearly identifiable to residents and set out in occupancy agreements which include tenancy agreements, leases, and other relevant documentation.

6.2. Method of calculation

6.2.1. Homeowner

A homeowner is charged the relevant share of a communal service and will pay a management fee based on the number and complexity of the services received. The management fee will be reviewed on an annual basis to determine if an inflationary increase is required. Homeowners are also responsible for a share of the maintenance costs for common parts, depending on the terms of their lease or transfer documents, and in the case of shared ownership and other leaseholders, an insurance charge. The lease may also determine a requirement to contribute to a maintenance reserve and/or a sinking fund, for the long-term maintenance programme for the development.

6.2.2. Social Rented

A social rented customer is charged their share of the common services and management fee calculated as an additional percentage of their total charges.

6.2.3. Market Rented

For the majority of market rented properties, the rent includes services, however,

the number of market rented customers sharing a service is included in the total unit numbers when calculating the apportionment of a cost in a mixed tenure development.

6.3. Surplus/Deficits

Fixed Service Charges

- 6.3.1. Estimated costs are used to prepare fixed charges for the year, provided they are fair and reasonable. At the end of the accounting period, if actual costs incurred to deliver the service are higher than estimated, no additional charge can be applied to the customers to cover this cost. Conversely if costs are lower than anticipated, there is no requirement to refund the customer.
- 6.3.2. At the end of the accounting period, actual costs incurred will be compared to the original estimates and any material difference will be used to inform future estimates.

Variable Service Charges

- 6.3.3. At the end of the accounting period, the actual service costs incurred will be compared to the original estimate and the difference (surplus/deficit) will be calculated.
- 6.3.4. Notice of the actual costs incurred will be given to individual customers with their annual service charge statements along with the relevant statutory notice.
- 6.3.5. If a deficit has been calculated, a demand for payment will be issued with the annual service charge statement of account.
- 6.3.6. Where there is a service charge surplus, credits will be applied to individual customer rent accounts for their share of the over charge.
- 6.3.7. All adjustments, demands and notices will be issued within 6 months of the accounting year end, in line with Section 20B of the Landlord and Tenant Act 1985.

6.4. Service Charge Consultation

- 6.4.1. There are certain circumstances under which formal consultation of service charges are required, which include:
 - (a) Providing new or additional services
 - (b) Prior to entering into long term qualifying contracts (i.e., for more than 12 months and a cost greater than £100 per household per year)

- (c) Before the commencement of works costing more than £250 per unit

6.4.2. Other consultation meetings may be held as required where it is deemed to be good practice or appropriate, for example where there is likely to be a change in the level of service being delivered.

7. Rent and Service Charge Reviews and Increases

- 7.1. The rents and services charges for our properties will be reviewed on an annual basis. These reviews will take into account our expenditure in the previous financial year and any known or reasonably anticipated changes in costs. They will also take into account the affordability of rents to our typical client groups and our business plan objectives.
- 7.2. Any increase in rent will be applied on 1 April. The rent for a leased property will be increased according to the provisions in their agreement. The rents of customers subject to fair rents are set by the Rent Officer (as detailed above) and the rate of increase up to the full registered rent is determined by legislation.
- 7.3. Any increase in service charge will be applied on 1 April. The service charge for a leased property will be increased according to the provisions in their agreement.
- 7.4. All customers will receive written notice of the proposed rent and/or service charge increase in line with the terms of their tenancy agreement. This will include a breakdown of any remaining service charges.
- 7.5. We will consult with customers annually on our proposals for rent and service charges. We will use their feedback to inform our policy for the following financial year. The Places for People Scotland Board (the trading name of Castle Rock Edinvar) will review and approve the final decision.

8. Complaints

- 8.1. All tenants and agencies with leased properties have the right to make a complaint if they feel that an issue relating to their rent has not been dealt with properly. Our Complaints Policy is available free of charge at any of our offices.

9. Appeals

- 9.1. Fair Rent tenants can appeal to the private rented housing panel if they do not agree with the rent set by the Rent Officer.

10. Rent Arrears

- 10.1. The Scottish Government requires that every registered Scottish landlord should adopt and implement a formal policy for arrears prevention and control. This requirement can be found in a separate Rent Arrears Policy which is available free of charge from all of our offices.

11. Availability of Rent and Service Charge Policy (Scotland)

- 11.1. Additional copies of this Rent and Service Charge Policy (Scotland) are available on request and free of charge. A summary of the Rent and Service Charge Policy can be made available in a number of other languages and digital and printed media formats, if required.

12. Review of Rent and Service Charge Policy (Scotland)

- 12.1. This Rent and Service Charge Policy (Scotland) which forms part of the wider Affordable Housing Rent & Service Charge Policy has been approved by Places for People Scotland Board. The Board has agreed that the Rent and Service Charge Policy (Scotland) be reviewed on an annual basis, to ensure that the aims of the Policy are being achieved. This review will include consultation with customers in accordance with the Association's Participation Strategy. No major changes will be made without consultation with tenants.

Definitions in Scottish Regulatory System for information

| Term | Definition |
|--|---|
| Abandoned House | An empty house where a tenant has stopped living in the house without informing the landlord. |
| Affordability | The level of rent landlords/government believes a tenant can pay without causing hardship. |
| Affordable Housing | Housing that is available to buy or rent at a level below the local market level. This can include low cost home ownership, mid-market rented homes or homes that are rented from a Local Authority or Registered Social Landlord. |
| Affordable Housing Supply Programme (AHSP) | The Scottish Government's programme for providing grants to Local Authorities and Registered Social Landlords to support the delivery of new affordable housing, to meet needs in their area. |
| Allocation Policy | The Landlord's rules for deciding who should get priority in the allocation of houses when they become available for let. Every Local Authority and Registered Social Landlord is legally obliged to have such a policy and must publish it and regularly review it. |
| Annual Assurance Statement | Social landlords must submit an Annual Assurance Statement to the Scottish Housing Regulator each year providing assurance that their organisation complies with the relevant requirements of chapter 3 of the Regulatory Framework. This includes regulatory requirements that apply to all social landlords and the Standards of Governance and Financial Management that apply to Registered Social Landlords (RSLs). The Statement should be made and submitted by the RSL's governing body, or the relevant local authority committee which has been delegated authority to complete the Statement by the local authority. |
| Annual Return of the Charter | Each year, every Registered Social Landlord must complete a report that details how they perform against each of the outcomes in the Scottish Social Housing Charter. They submit this report to the Scottish Housing Regulator (SHR) and they must publish it for their tenants too. |

| | |
|------------------------------------|---|
| Average cost Per Unit | This is worked out by taking the total cost and dividing it by the number of houses involved. Average or unit costs are used in business planning for things like day-to-day repairs and housing management costs. |
| Factoring | A term most commonly associated with the provision of services connected to the management and maintenance of the common parts of lands/buildings owned by two or more persons, which can include the RSL, and used to any extent for residential purposes. It may involve the RSL providing and instructing repairs to common parts of a tenement. For example: the roof/common close/common garden. |
| Fair Rent | A fair rent can apply to accommodation in the RSL and private rented sector which was let before 2 January 1989 without a resident landlord. A rent officer will set a rent level based on a range of information about the property. The rent officer's determination can be challenged by application to First Tier Tribunal Housing and Property Chamber. |
| General Needs | Houses provided to meet the needs of families and other households without any special design features. Sometimes known as mainstream housing. |
| Housing Association | A not-for-profit landlord that is registered with and monitored by the Scottish Housing Regulator (SHR) whose membership is open to tenants amongst others. There can be non-registered housing associations using the name; therefore, tenants need to ensure the housing association is registered with the SHR. |
| Low Cost Home Ownership | Houses built and sold at a price that is lower than the local market value. |
| Mid Market Rent | Mid-market rent homes charge rents that are higher than the social rented sector but lower than the market rent for a particular area. |
| Registered Social Landlords (RSLs) | An independent landlord (including housing associations, housing cooperatives, Abbeyfield societies and co-ownership societies) registered with the Scottish Housing Regulator (SHR), which owns and manages houses on a not-for-profit basis. It must be established to provide housing and that it must operate in Scotland. |

| | |
|--------------------------------------|--|
| Rent Officer | A government official employed by Rent Service Scotland who determines and registers rents for houses let on regulated tenancies, sets the Local Housing Allowance (LHA) for a local area, and adjudicates on rent increases for tenants with a private residential tenancy. |
| Rent Structure | The system by which different rents are charged for different properties owned by a landlord. Often it is worked out based on house size and type, but might also include area, level of amenity and quality of the environment. |
| Scottish Housing Regulator | The independent regulator of social housing services in Scotland. They are responsible for assessing and reporting on how all landlords are performing (including local authority landlords), and the financial wellbeing and standard of governance of RSLs. They can intervene to secure improvements where necessary. |
| Scottish Secure Tenancy (SST) | Introduced on 30 September 2002, 1 December 2017, the Scottish Secure Tenancy replaced the secure tenancy and became the new standard tenancy for all new tenancies in the social rented sector. The government have provided a model SST agreement which can be used by local authority or registered social landlords when creating the tenancy setting out the rules that allow a tenant to occupy the house and describing the rights and responsibilities of the tenant and landlord. |
| Short Scottish Secure Tenancy (SSST) | A short form of the Scottish Secure Tenancy which can only be used in a limited a range of circumstances by the landlord, these include where prospective tenants have previously been evicted for antisocial behaviour; where prospective tenants or others who will reside with the tenant have been subject to an antisocial behaviour order or have previously behaved in an antisocial manner; creation of temporary lettings; and properties leased by the landlord from another body. The SSST will initially run for a fixed period which can be either six months or 12 months depending on the reason used for its creation. These periods can be continued although any continuation in respect of SSSTs which have been created owing to previous antisocial behaviour cannot extend the length of the SSST beyond 18 months. Tenants in SSSTs have limited protection from eviction and have no rights of succession. |

APPENDIX ONE

Shared properties - Rent Structure

The below rent structure for shared properties applied between 1995 and 31 March 2025. From 1 April 2025, this rent structure only applies for existing tenancies. On relet and for new build handovers, the new rent calculation outlined in paragraph 1.4 will be applied

1. We have a number of properties which are let to more than one household, the majority of which are single people sharing accommodation. Many of these shared properties are let under leases or management agreements to agencies who provide support to people in housing need. In the main, these properties are covered by the rent structure outlined above, as the sharing households are housed in our standard accommodation.
2. There are, however, a number of shared leased properties which have been purpose built or adapted for an agency or for us. It would be difficult to lease these properties in the future to a single household. These properties have also cost more to build or rehabilitate.
3. The Board has agreed that the rent of these properties be calculated according to the rent structure for individual properties. However, points will only be awarded for one single bedroom and for one bathroom or WC, to reflect the amenity of the property enjoyed by an individual. The size of the living-room will be calculated according to the total number of people (tenants and resident staff) sharing the accommodation.
4. As facilities within the property are shared, a deduction will be made from the points total, according to the number of people (tenants and resident staff) sharing.

| No. sharing | Points deduction |
|-------------|------------------|
|-------------|------------------|

| | |
|---|----|
| 2 | 20 |
| 3 | 25 |
| 4 | 30 |
| 5 | 35 |
| 6 | 40 |
| 7 | 45 |
| 8 | 50 |
| 9 | 55 |

5. The resulting points value for the shared leased property will then be multiplied by the number of people (tenants and resident staff) sharing, to produce the final points value for the property.

APPENDIX TWO

The below rent structure applied between 1995 and 31 March 2025. From 1 April 2025, this rent structure only applies for existing tenancies. On relet and for new build handovers, the new rent calculation outlined in paragraph 1.4 will be applied.

The main objective of a rent structure is to determine the amount of rent to be charged for each different type of property. It is a method of apportioning the total amount of required rental income between our different property sizes and types.

The rent level for each individual property is set according to a points system. The number of points allocated to each property type depends on the size and the amenities within the property. It is assumed that all properties are new build, or have undergone rehabilitation, so points are deducted for unimproved properties.

| House Type | | Points 2018 | |
|-----------------------------------|------------|----------------|--|
| Detached house | RPDETACHED | 74 | |
| Semi-detached house | RPSEMIDET | 73 | |
| Terrace house | RPTERRACE | 72 | |
| 4-in-a-block (street entrance) | RP4INSTREE | 68 | |
| Main-door flat | RPMDOORFLT | 67 | |
| 4-in-a-block stair entrance | RP4INSTAIR | 64 | |
| Flat off common stair | RPFLAT | 63 | |
| Size | | | |
| *Living-room 1 person | RPLIVRM01 | 4 | |
| 2 person | RPLIVRM02 | 7 | |
| 3 person | 03 | 19 | |
| 4 person | 04 | 22 | |
| 5 person | 05 | 28 | |
| 6 person | 06 | 31 | |
| 7 person | 07 | 38 | |
| 8 person | 08 | 41 | |
| 9 person | 09 | 46 | |
| 10 person | 10 | 50 | |
| Additional public/utility room(s) | RPADDPUBRM | 4 | |
| Each additional bathroom/WC | RPADDBTH1 | 2 | |
| additional dining room | RPADDDINE | 2 | |
| Box room, natural light | RPBOXROOM | 2 | |

| | | | |
|---|------------|----|--|
| Integrated living room/dining/kitchen | RPLKITDINE | 2 | |
| Gas CH new build | RPCENTGAS | 2 | |
| Amenities | | | |
| Lift | RPLIFT | 2 | |
| Own Garden | RPGARDEN | 1 | |
| Private play areas | RPPLAYAREA | 1 | |
| Communal Area Services Depends on the size of the area, the number of properties, the nature of the work and how often it is carried out | | | |
| Grounds Maintenance | RPAMENITY0 | 1 | |
| | RPAMENITY1 | 2 | |
| | RPAMENITY2 | 4 | |
| | RPAMENITY3 | 7 | |
| Depends on the size of the area, the number of properties and the level of service provided | | | |
| Stair and common area cleaning, common area utility charges | | | |
| | RPCOM0 | 1 | |
| | RPCOM1 | 2 | |
| | RPCOM2 | 4 | |
| | RPCOM3 | 7 | |
| | RPCOM4 | 12 | |
| | RPCOM5 | 25 | |
| | RPCOM6 | 9 | |
| Alarm call System | RPALARM | 3 | |
| Usually applicable to communal lounges and laundries | | | |
| Depreciation of furniture and equipment | | | |
| | RPCOMDEP0 | 3 | |
| | RPCOMDEP1 | 10 | |
| | RPCOMDEP3 | 2 | |
| WIFI communal | RPWIFI | 1 | |
| Deductions: | | | |
| Bed-sit | RPBEDSIT | -6 | |
| Unimproved stair | RPUNIMSTR | -1 | |
| Integral Kitchen (no window) | RPINTKITNW | -1 | |
| Integral Kitchen (not separate) | RPINTKITCH | -1 | |

| | | | |
|-------------------------------|------------|----|--|
| Internal Bathroom (no window) | RPINTLBATH | -1 | |
| Electric CH | RPCENTELEC | -1 | |
| Single Glazing | RPSINGLAZE | -1 | |
| | | | |
| EPC Band D | RPEPCD | -1 | |
| EPC Band E | RPEPCE | -2 | |
| EPC Band F | RPEPCF | -3 | |
| EPC Band G | RPEPCG | -4 | |

1.1.1. The end result of the rent structure calculation is a points value for each individual property.