



Statement of decision of the Private Rented Housing Committee under Section 60 (5) of the Housing (Scotland) Act 2006

prhp Ref: prhp/IV14/54/13

Re : Property at Oakfield, Achilty, Contin, Ross-shire IV14 9EG ("the Property")

The Parties:-

Gordon Day and Louise Day, sometime Oakfield, Achilty, Contin, Ross-shire IV14 9EG ("the Tenant"); and

Doreen Alice Butcher, Eilean View (otherwise Eilean House), Achilty, Contin IV14 9EG and Margaret Ann Fraser, formerly Treetops, Contin, Strathpeffer and now Achnacloich, Achilty, Contin IV14 9EG ("the Landlord")

Decision

The Committee, having made such enquiries as it saw fit for the purposes of determining whether the Landlord has complied with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 ("the Act") in relation to the house concerned, determined that the Landlord has complied with the duty imposed by Section 14 (1)(b) of the Act and with the Repairing Standard Enforcement Order in respect of the Property dated 8 August 2013 and served on the Landlord on 30 August 2013.

Background

- 1 By application dated 14 March 2013, the Tenant applied to the Private Rented Housing Panel for a determination of whether the Landlord had failed to comply with the duties imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 ("the Act").**
- 2 The application by the Tenant stated that the Tenant considered that the Landlord had failed to comply with his duty to ensure that the house meets the repairing standard.**
- 3 By letter dated 2 May 2013 the President of the Private Rented Housing Panel intimated a decision to refer the application under Section 22 (1) of the Act to a Private Rented Housing Committee.**
- 4 The Private Rented Housing Committee ("the Committee") inspected the Property on the morning of 8 August 2013. The Committee comprised George Clark (chair), Colin Hepburn (surveyor) and Michael Scott (housing member).**
- 5 Following the inspection of the Property the Committee held a hearing at Dingwall Community Centre, Tulloch Street, Dingwall and thereafter issued a Repairing Standard Enforcement Order. The Order was dated 8 August 2013 and was served on the Landlord on 30 August 2013.**
- 6 The surveyor member of the Committee re-inspected the Property on 10 July 2014 and advised that the repairs included in the Repairing Standard Enforcement Order had been carried out and that the reports required in terms of the Order had been exhibited by the Landlord.**
- 7 The Committee determined that a Certificate of Completion of Work should be issued.**

8 The decision of the Committee was unanimous.

Right of Appeal

A landlord or tenant aggrieved by the decision of the Private Rented Housing committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.

Effect of section 63

Where such an appeal is made, the effect of the decision and of the order is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the decision and the order will be treated as having effect from the day on which the appeal is abandoned or so determined.

George Clark

Signed ..
Chairperson



... Date... 15 Aug 2014



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: prhp/IV14/54/13

Re: Property at Oakfield, Achilty, Contin, Ross-shire IV14 9EG ("the Property")

Sasine Description: ALL and WHOLE the detached bungalow dwellinghouse with the garden ground pertaining thereto known as Oakfield, Achilty, Contin, Strathpeffer in the County of Ross and Cromarty, being part of the Farm and lands of Achilty more particularly described in and disposed by Feu Charter by Sir Robert Evelyn Mackenzie in favour of Robert Mackay, dated 4 August and recorded in the Division of the General Register of Sasines applicable to the County of Ross and Cromarty 1 September, both in the year 1944.

The Parties:-

Gordon Day and Louise Day, sometime Oakfield , Achilty, Contin, Ross-shire IV14 9EG ("the Tenant"); and

Doreen Ann Butcher, Eilean View (otherwise Eilean House), Achilty, Contin IV14 9EG and Margaret Ann Fraser, formerly Treetops, Contin, Strathpeffer and now Achnacloch, Achilty, Contin IV14 9EG("the Landlord")

CERTIFICATE OF COMPLETION

The Private Rented Housing Committee hereby certifies that the work required by the **Repairing Standard Enforcement Order** relative to the Property dated 8 August 2013 and served on 30 August 2013 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

A landlord or a tenant aggrieved by this decision of the Private Rented Housing Committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.

In witness whereof these presents typewritten on this page are executed by George Barrie Clark, solicitor, Lasswade, chairperson of the Private Rented Housing Committee at Lasswade on 15 August 2014 before this witness Valerie Elizabeth Jane Clark, Droman House, 5 School Brae, Lasswade, Midlothian.

George Clark

_ witness

chairman