



**REPAIRING STANDARD ENFORCEMENT ORDER**  
**by the**  
**PRIVATE RENTED HOUSING COMMITTEE**

Reference number: – PRHP/RP/13/0070

The Property

24 Norfield Drive, Mount Florida, Glasgow G44 4UD, registered in the Land Register for Scotland under title number GLA117478

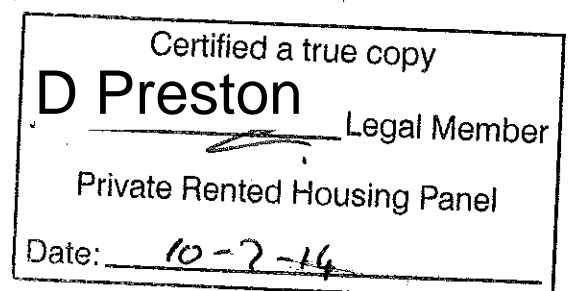
The Landlord

Mr Liaquat Ali, residing at 63 Kings Park Avenue, Glasgow G44 4UP

**REPAIRING STANDARD ENFORCEMENT ORDER ('RSEO')**

1. **WHEREAS** in terms of their decision dated 7 July 2014 the Private Rented Housing Committee ('the Committee') determined that the Landlord has failed to comply with the duty imposed by section 14(1)(b) of the Housing (Scotland) Act 2006 ('the Act') and in particular the property fails to meet the repairing standard as set out in section 13(1) of the Act.
2. The Committee now requires the Landlord carry out such work as is required to ensure the property meets the repairing standard and that any damage caused as a consequence of carrying out of any works in terms of this Order are also made good before the expiry of the Completion Date.

**THE ORDER**



3. In particular, and without prejudice to the foregoing generality, the Committee **HEREBY ORDERS** the landlord to carry out the following repairs ('the Works');-

3.1. To commission an report from a professional pest control company covering the entire property including the roof void and garden ground.

3.2. To carry out all work and treatments recommended in such report to eliminate any current infestation and prevent future infestation.

3.3. To provide evidence to the Committee of the work and treatment carried out.

4. The Committee **HEREBY FURTHER ORDERS** that the Works specified in this Order must be carried out and completed before the expiry of the Completion Date of two months from the date of service of this Order.

#### **RIGHT OF APPEAL**

5. A Landlord or Tenant has the right to appeal this decision to the Sheriff by summary application within 21 days of being notified of that decision.

#### **EFFECT OF APPEAL**

6. In terms of section 63 of the Act, where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by confirming the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

#### **NOTICE TO LANDLORD**

7. Please note that in terms of section 28(1) of the Act, a landlord who, without reasonable excuse, fails to comply with a RSEO commits an offence liable on

summary conviction to a fine not exceeding level 3 on the standard scale. A landlord (and that includes any landlord's successor in title) also commits an offence if he or she enters into a tenancy or occupancy arrangement in relation to a house at any time during which a RSEO has effect in relation to the house. This is in terms of Section 28(5) of the Act.

IN WITNESS WHEREOF these presents typewritten consisting of this and the preceding two pages are subscribed as follows:-

D Preston <sup>2</sup>  
Chairman

L McGuire <sup>2</sup>  
Witness

10-7-14 Date of Signing

Luke MCGUIRE Name

Glasgow Place of Signing

450 Argyll St Address  
Glasgow  
G2 8LG  
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## **PRIVATE RENTED HOUSING COMMITTEE**

### **STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE UNDER SECTION 26(1)) OF THE PRIVATE RENTED HOUSING PANEL (APPLICATIONS AND DETERMINATIONS)(SCOTLAND) REGULATIONS 2007**

#### **In connection with**

**Reference number: – PRHP/RP/13/0070**

#### **The Property**

**24 Norfield Drive, Mount Florida, Glasgow G44 4UD, registered in the Land Register for  
Scotland under title number GLA117478**

#### **The Landlord**

**Mr Liaquat Ali, residing at 3 Kings Park Avenue, Glasgow G44 4UP**

#### **Decision**

**The Committee, having made such enquiries as are fit for the purposes of determining whether the Landlord has complied with the duty imposed by Section 14 (1)(b) in relation to the house concerned, and taking account of the evidence led by the Tenant at the hearing as well as her written representations, determined that the Landlord had failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 (hereinafter referred to as “the Act”).**

#### **Decision**

- 1. The Committee determined that the Landlord had failed to comply with the duty imposed by Section 14 (1)(b) of the Act.**
- 2. The Committee proceeded to make a Repairing Standard Enforcement Order as required by section 24(1).**
- 3. The decision of the Committee was unanimous.**

#### **Background**

- 1. Reference is made to: Notices of Direction dated 4 November 2013, 14 February 2014, 2 April 2014 and 15 May 2014; and Minute of Continuation dated 17 November 2013 which detail the full background and history of this application.**

2. On 5 June 2014, following the issue of the Notice of Direction dated 15 May 2014, the Landlord produced two reports from Pest Solutions dated 12 June 2013 and 4 June 2014.
3. The report dated 12 June 2013 stated that an inspection of the loft was carried out to locate a smell. Rodent droppings were found in the loft space and the smell of a dead rodent was coming from a coombe in a ceiling. No indication was given as to the steps taken in respect of the discovery of the traces of rodents or the recovery and disposal of the dead rodent. No specification of the type of rodent was given. The report did not indicate any treatment as having been, or to be carried out.
4. The report dated 4 June 2014 stated that the loft was inspected and evidence of old squirrel activity was found. It indicated that there was no sign of any current activity. The report indicated "1 treatment" but contained no detail of such treatment proposed or confirmation as to whether it had been carried out.

### **Reasons**

1. The Landlord has been aware of the presence of rats or squirrels within the property since at least June 2013. Following the report of 12 June 2013 no evidence of any remedial action to eliminate such a presence has been produced. The report of 4 June 2014 confirmed an ongoing presence of squirrel activity, notwithstanding that it may not have been current at the date of the inspection.
2. No evidence has been produced of any treatment applied or remedial action taken to ensure the elimination of rats or squirrels from the property.
3. At the time of the inspection carried out by the Committee on 10 February 2014 the property was found to be occupied by a family including young school age children for whom the presence of rats or squirrels pose a serious threat to health and safety.
4. The Committee considered that the property is not reasonably fit for human habitation as a result of the evidence of the presence of rats or squirrels in or about the property.
5. The Committee considered that in view of the recorded presence of rodents in the roof space, a full and comprehensive report should be commissioned both in and around the property and necessary remedial steps should be taken to eliminate the presence of rodents.

### **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.

Signed: **D Preston**  
Chairperson 

Date: ~~7-7-14~~ 7-7-14