



Notice of a decision to Vary
Repairing Standard Enforcement Order
Ordered by the Private Rented Housing Committee

Case Reference Number: PRHP/G46/206/12

Re:- Property at 24 Hopeman Street, Thornliebank, Glasgow, G46 8EY ("the property")

Land Register Title Number:- **GLA101194**

The Parties:-

Cara Louise Britt, residing at 24 Hopeman Street, Thornliebank, Glasgow, G46 8EY ("the tenant")

And

Jeremy Robert Golker, residing at 19 Woodlands, London and Michael Shebson, residing at 16 Nachal Yeelah, Ramat Bet, Shemesh A, 99620, Israel per their agents Scott & McGuiness, having an office at 1 County Place, Paisley, PA1 1BN ("the landlords")

NOTICE TO

Jeremy Robert Golker, residing at 19 Woodlands, London and Michael Shebson, residing at 16 Nachal Yeelah, Ramat Bet, Shemesh A, 99620, Israel per their agents Scott & McGuiness, having an office at 1 County Place, Paisley, PA1 1BN,

The Private Rented Housing Committee issued a Repairing Standard Enforcement Order ("RSEO") dated 15 April 2013 in respect of the Property.

The Private Rented Housing Committee, determined on 3 June 2013 that the **Repairing Standard Enforcement Order** relative to the Property dated 15 April 2013 should be varied.

The said **Repairing Standard Enforcement Order** is hereby varied with effect from the date of service of this Notice in the following respect:-

The period allowed for the completion of the work required by the order is extended until 30 June 2013.

Subsection 25(3) of the Housing (Scotland) Act 2006 applies in this case.

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.

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

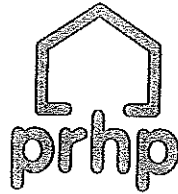
In witness whereof these presents type written on this and the preceding page are executed by James Bauld, Solicitor, 7 West George Street, Glasgow, G2 1BA, chairperson of the Private Rented Housing Committee at Glasgow on 3 June 2013 before this witness:-

J Bauld
Signed Date 3 June 2013
James Bauld, Chairperson

L McManus Witness

Laura McManus, Secretary, 7 West George Street, Glasgow, G2 1BA

Certified a true copy	
J Bauld	Legal Member
✓ Private Rented Housing Panel	
Date:	12 June 2013



Determination by Private Rented Housing Committee

Statement of Decision of Private Rented Housing Committee (hereinafter referred to as the Committee)

Under Section 25(1) of the Housing (Scotland) Act 2006

Case Reference Number: PRHP/G46/206/12

Re:- Property at 24 Hopeman Street, Thornliebank, Glasgow, G46 8EY ("**the property**")

Land Register Title Number:- **GLA101194**

The Parties:-

Cara Louise Britt, residing at 24 Hopeman Street, Thornliebank, Glasgow, G46 8EY ("**the tenant**")

And

Jeremy Robert Golker, residing at 19 Woodlands, London and Michael Shebson, residing at 16 Nachal Yeelah, Ramat Bet, Shemesh A, 99620, Israel per their agents Scott & McGuinness, having an office at 1 County Place, Paisley, PA1 1BN ("**the landlords**")

The Committee comprised:-

Mr James Bauld	-	Chairperson
Mr Michael Links	-	Surveyor member
Mrs Susan Brown	-	Housing member

Background:

1. On 15 April 2013 the Committee issued a determination which decided that the landlord had failed to comply with the duties imposed by Section 14(1) of the Housing (Scotland) Act 2006 (the 2006 Act). On the same date the Committee issued a Repairing Standard Enforcement Order (RSEO) in respect of the property. The RSEO required various works to be carried out by the landlords and required those works to be carried out within six weeks of the date of the order.
2. On 29th May 2013, the committee wrote to the landlords indicating that a re-inspection of the property would take place on 10th June 2013 at 10 am to enable the committee to ascertain whether the works required in terms of the RSEO had been completed. Subsequently, correspondence was received from the landlords indicating that the works required in terms of the RSEO had only recently commenced and had not been completed. They accordingly asked that the re-inspection be postponed and that further time be allowed to complete the works. They explained that the works had not been commenced because they had been unable to gain access to the property while the tenant was still residing in the property and that the tenant had now vacated the property.

Determination

3. The Committee considered the correspondence from the landlords.
4. The Committee were satisfied that the landlords intended to carry out the works required by the RSEO and that satisfactory progress had been made in the carrying out of the work.
5. Accordingly the Committee decided in terms of the powers under Section 25 of the 2006 Act to vary the RSEO which had previously been made.
6. The Committee decided that the RSEO should be varied to allow the landlords until 30th June 2013 to arrange for the outstanding works to be done.

The Decision

7. The Committee having made such enquiries as it saw fit for the purposes of determining whether the landlords had complied with the RSEO in relation to the property concerned and taking full account of all the evidence obtained from the relevant correspondence determined to exercise their powers in terms of Section 25 of the 2006 Act to vary the RSEO.
8. The Committee proceeded to make a variation to the RSEO.
9. The decision of the committee was unanimous.

Rights of Appeal

10. A landlord or tenant aggrieved by the decision of the Committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.
11. The appropriate respondent in such appeal proceedings is the other Party to proceedings and not the PRHP of the Committee which made the decision.

Effects of Section 63

12. Where such an appeal is made, the effect of the decision and of any Order made in consequence of it is suspended until the appeal is abandoned or finally determined.

13. Where the appeal is abandoned or finally determined by confirming the decision, the decision and the Order made in consequence of it are to be treated as having effect from the day on which the appeal is abandoned or so determined.

Signed..... **J Bauld**

Date..... 12 June 2013

James Bauld, Chairperson

Signature of Witness..... **G Williams**

Date..... 12/6/13

Name, address and occupation of the witness (please print):-

GILLIAN WILLIAMS
7 WEST GEORGE STREET, GLASGOW, G2 1BA
SENIOR COURT ADMINISTRATOR.

7 West George Street, Glasgow, G2 1BA

Certified a true copy	
<u>J Bauld</u>	Legal Member
✓ Private Rented Housing Panel	
Date:	<u>12 June 2013</u>